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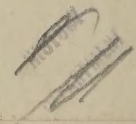
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ORATIONS AND ADDRESSES
OF
GEORGE WILLIAM CURTIS

VOLUME II.

ORATIONS AND ADDRESSES
OF
GEORGE WILLIAM CURTIS

EDITED BY
CHARLES ELIOT NORTON

VOLUME II.
ADDRESSES AND REPORTS
ON THE REFORM OF THE CIVIL SERVICE OF
THE UNITED STATES



NEW YORK
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ERRATA.

P. vii., line 5, for "prepared for," read "delivered at."

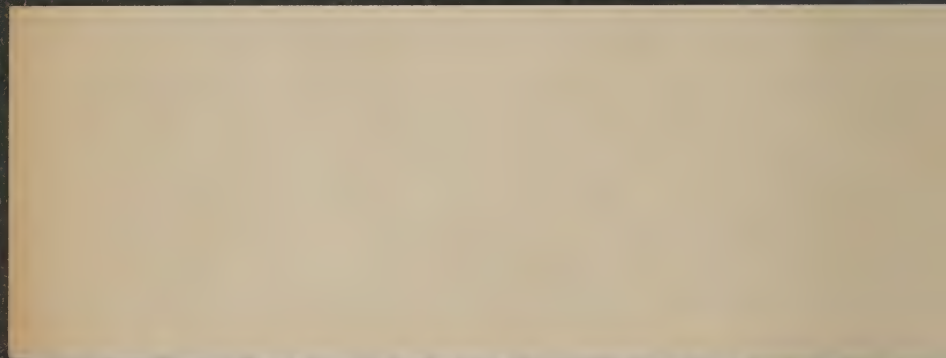
P. 21, last line, for "bench as," read "bench of."

P. 237, line 24, for "to that of," read "of that to."

P. 462, line 1, for "to have him received," read "to receive him."

P. 475, line 16, for "to its defence," read "to defence of itself."

P. 477, for "prepared* for," read "delivered at," and omit note.



EDITORIAL NOTE

THIS volume contains the most important addresses and other writings on the Reform of the Civil Service by which, from 1869 to 1892, Mr. Curtis roused attention to the national peril resulting from the existing system of appointment to and tenure of office, showed the feasibility and method of reform, and quickened that public opinion to which he appealed as the motive force of the action requisite for bringing reform about.

They narrate the history of the origin and growth of the Spoils or Patronage system; they present a vivid picture of its multiplied and constantly increasing evils, and they set forth the arguments for its destruction with such variety of illustration and such cogency of statement as to make them irresistible by any open, unpervverted intelligence.

They show, however, but a part of Mr. Curtis's strenuous and effective labors in this cause. The editorial columns of *Harper's Weekly*, during the last twenty-five years of his life, bear witness to the constancy of his service, to the abundance of his resources, to his skill, good temper, and good sense in the conduct of the campaign against the forces of official corruption, partisan zeal, and popular indifference.

Some repetition of argument and illustration may be found in the different pieces of this collection. But the intelligent reader will be surprised, in view of the nature of the subject, rather at the variety than at the sameness of its treatment in these pages.

For the sketch of the conditions of the Reform from 1873 to 1881, which precedes the first of Mr. Curtis's addresses as President of the Civil-Service Reform League, the reader is indebted to Mr. William Potts, the trusted friend and associate of Mr. Curtis, and the able and efficient Secretary of the League from its beginning to the present time.

The volume is an impressive record of Mr. Curtis's services to the country, and to the cause with which his name will be indissolubly associated; it is also an ample storehouse of material for use by those engaged in carrying forward the Reform to final and complete success.

C. E. N.

ASHFIELD, MASS., *August, 1893.*

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I

CIVIL-SERVICE REFORM

AN ADDRESS DELIVERED BEFORE THE AMERICAN SOCIAL
SCIENCE ASSOCIATION AT ITS MEETING IN
NEW YORK, IN OCTOBER, 1869

CIVIL-SERVICE REFORM

IN speaking of the Civil Service of the United States—by which is meant all of the public service that is not military—you will do me the justice to remember that I am criticising a system, not individual persons. There are many men of the utmost honor, ability, and fidelity in that service—some of them well known to us, some for whose appointment I am glad to say for my part that I have zealously labored—and it is in their name, it is that we may adopt a system by which the appointment of such officers may be made more probable than it ever can be under our present practice, that I shall now attempt to expose to you the folly and the peril of our system of the Civil Service.

If Dean Swift had described a revenue service in Brobdingnag by which a quarter of the whole sum collected was carried off by thieves or lost by incompetency, we should say that the extravagance of the satire destroyed its point; but the satirist would only have described exactly our situation. Or, if we should hear of a town that had made a man surveyor of highways because he played sweetly upon the French horn, or of a merchant who had selected a book-keeper because he

was a Seventh-day Baptist, or of a railway company, a conductor because he had an aquiline nose, the country would roar with laughter. But now would all this be more absurd than that a thrifty and intelligent people, whose self-imposed taxation annually demands an immense sum of money to be collected by a vast body of special officers, should totally disregard the knowledge and fitness of the officers for that service, and ask only evidence of their unscrupulous party zeal? Such a system is the most wasteful, the most awkward, the most destructive, possible. It fosters personal and official corruption, it paralyzes legislative honor and vigilance, it poisons the spring of moral action, and so, vitiating the very character of the people, it endangers the permanence of the nation.

And yet, however plain the peril, because the ship bored by a thousand worms has not yet sunk, there are those who tell us that worm-eaten wood is as safe as sound timber. I certainly would not exaggerate the importance of this or of any danger. The ship may have pumps, there may be plenty of sailors, there may be the necessary skill and resolution to secure the common safety. But nevertheless the springing leak is the beginning of shipwreck. What the ship wants is not only to float, but to sail, and not only to sail, but to sail prosperously. "All I claim," said Edmund Burke, in proposing economical reform in Parliament, "all I claim upon the subject of your resources is this, that they are not likely to be increased by wasting them." But our system of the Civil Service courts waste. We despise the very elements of national efficiency. We

violate the fundamental principles of thrift and economy. We furnish the exact internal condition that would feast the greedy eyes of an enemy. It is not by money and arms only that great States are defended and great causes maintained. With a glance of jealous sagacity across the Channel Burke again exclaimed, "Principle, method, regularity, economy, frugality, justice to individuals, and care of the people are the resources with which France makes war upon Great Britain." Yes, and these are the resources with which national honesty makes war upon dishonesty, and patriotism upon mere party spirit. And when it is gravely urged that in a republic it is a necessity that the retainers of the dominant party shall be supported by the public treasury, it is alleged that economy and frugality, efficiency and honesty are incompatible with republican government. If they are so, republican government is incompatible with permanence, and will swiftly perish with the just and hearty contempt of every generous mind.

Fortunately this was not the view of the men who formed the government, and in the action of the first President our history refutes the theory and the practice which our common-sense repudiates. Massimo d'Azeglio, one of the best of men and of Italians, truly says of Washington that when he wrote from Mount Vernon to those who were at the head of the government, "Choose *gentlemen* for your officers," he did not mean, as his own administration showed, a particular social or political class; he meant self-respecting, responsible, and intelligent men. The whole number of officers in the

Civil Service during Washington's administration was indeed, as he said, "a mere handful"; but he declared that nothing would procure an appointment but evidence of ability, integrity, and fitness. He had, indeed, been unanimously elected, and when his administration began party divisions did not exist. But this does not affect the justice of the principle of his appointments to office. When a friend made a personal appeal to him to appoint some one who did not seem to Washington competent, he replied: "My personal feelings have nothing to do with the case. I am not George Washington, but President of the United States. As George Washington I would do this man any kindness in my power; as President of the United States I can do nothing." They are words that should blaze in gold over the doors of the White House.

President Adams removed but nine subordinate officers, and none for their political opinions. Then came President Jefferson, riding a whirlwind of party passion which he honestly hoped to control. "We are all Federalists, we are all Republicans," said he blandly, as he entered the Executive Chamber. Party spirit, however, demanded its victims. The pressure, he declared, was like that of a torrent, although the whole number of officers then in the customs service of the United States was three hundred less than those to-day in the New York Custom-house alone. Indeed, the whole number in the Civil Service was then less than five thousand, while to-day it is more than sixty thousand. But Jefferson said firmly, "Of the thousands of officers in the United States a very few individuals only — probably

not twenty—will be removed, and these only for doing what they ought not to have done.” Mr. Jefferson also removed some of the midnight appointments, as they were called, of Mr. Adams, which he thought Mr. Adams ought not to have made. “I shall correct the procedure,” said Jefferson, “but that done, return with joy to that state of things when the only questions concerning a candidate shall be, Is he honest? is he capable? is he faithful to the Constitution?” And he kept his word so faithfully and was so wisely followed by Madison, Monroe, and John Quincy Adams that the Congressional Committee upon Retrenchment report that, having consulted all accessible means of information, they have not learned of a single removal of a subordinate officer except for cause from the beginning of Washington’s administration to that of Jackson.

But even during this first and, in this respect, best period of the government the evils of the want of a proper organization of the Civil Service had become apparent. Office was held at the will of the appointing power, not by any tenure of capacity, fidelity, and industry; and although continuance in office for those reasons was the practice, it was not the law.

The demoralizing sense of official insecurity, therefore, was not unknown even in the early administrations. Mr. Jefferson, as we have seen, resisted the pressure to remove. But then we must remember that he hoped to destroy the Federal party, by absorbing in his own party so many of its members as to leave it what he called a “monarchical faction.” The threatening

excitement of his election in the House of Representatives had brought many Federalists to his side, and he wrote to Monroe that he feared "deprivation of office, if made on the ground of political principles alone, would revolt our new converts." Moreover, it is not clear that to secure his election Mr. Jefferson had not made pledges not to remove. While the balloting for the Presidency was still proceeding, he wrote to Dr. Barton of Philadelphia that, in case of his election, "no man [in office] who had conducted himself according to his duties would have anything to fear from him." He said frankly, however, that his own party friends had "a reasonable claim to vacancies till they occupied their due share." Mr. Bayard of Delaware, a Federalist, whose action in the House elected Mr. Jefferson, made an affidavit in 1806 that at his request General Samuel Smith of Maryland spoke with Mr. Jefferson, who authorized him to say that, if he were elected, subordinate officers should not be removed on account of their political character, but only for official misconduct. Mr. Jefferson, in his Diary, says that Mr. Bayard's statement is absolutely untrue; and General Smith, while admitting that he talked with Mr. Jefferson at Mr. Bayard's request, denied that Mr. Jefferson authorized him to make any reply. It may be safely presumed, however, that Mr. Jefferson was much too shrewd a politician not to understand, under the circumstances, the exact significance and intention of General Smith's inquiries. And these facts show how early the tendency to prostitute the Civil Service to party purposes developed itself, and how imperative even then was the necessity of some

reasonable system of appointment in place of the wild scramble for office.

In 1811, during Madison's administration, Josiah Quincy, with the bitterness of a partisan, indeed, but with picturesque and sturdy vigor, speaking of the sycophancy and servility of the pressure for office that followed the death of an incumbent, exclaimed: "Why, sir, we hear the clamors of the craving animals at the Treasury trough here in the Capitol. Such running, such jostling, such wriggling, such clambering over one another's backs, such squealing because the tub is so narrow and the company so crowded! No, sir, let us not talk of stoical apathy towards the things of the national Treasury either in this people or their representatives or senators."

This sounds like a satire of Martial's upon the decline of Rome. It was more than fifty years ago. Does it not seem like the disgraceful story of last spring and of every inauguration? Yet you will observe that enormous as the pressure may have been for offices vacant by death or resignation, plain as the necessity was for some system by which fitness for office might be secured, universal removal with the change of party ascendancy had not yet become the practice.

But a new era was at hand, and on the 4th of March, 1829, amid a tremendous hurrah for Jackson, it began. "A clear fire, a clean hearth, and the rigor of the game: this," says Charles Lamb, "was the celebrated wish of old Sarah Battle, now with God." Andrew Jackson would have been a partner after Mrs. Battle's own heart. During the first forty years of the government the re-

movals from subordinate office were not more than seventy-three. During the Presidency of General Jackson they were counted by thousands. Yet in 1816 he had forcibly written to Mr. Monroe that the President should not be a partisan; in Tennessee he had required of candidates as a condition of his support that they should be opposed to the extension of executive patronage; in resigning his seat as senator he proposed an amendment of the Constitution which would sever the relations which even then enabled that patronage to paralyze Congress, and he prophesied fatal corruption and tyranny if it were not ended. Now that patronage had fallen into his own hands, and he announced his intention to correct the abuse by which it interfered with the freedom of elections, no words could be finer. They were full of lofty promise. But they were immediately interpreted in plainer language, in what may be called the vernacular of the Jackson administration, by Mr. Samuel Swartwout, a friend and conspicuous partisan of the President. You remember Mr. Swartwout, who wrote to his friend Mr. Jesse Hoyt, in New York: "I hold to your doctrine fully that no d—d rascal who made use of his office or its profits for the purpose of keeping Mr. Adams in and General Jackson out of power is entitled to the least lenity or mercy save that of hanging. Whether or not I shall get anything in the general scramble for plunder remains to be proven—but I rather think I shall." Mr. Swartwout guessed correctly, as we all know. He got a great deal of the plunder. He not only got, but he gave. He got an office and he gave a new word to the language. He became collector and

he "Swartwouted"; that is, he put the money in his own pocket instead of in the Treasury.

The new principle had not yet been openly avowed; but by and by Mr. Van Buren, the especial friend of President Jackson, was nominated as Minister to England. The debate upon his confirmation is memorable. He was opposed by Webster, by Clay, the great Whigs, and by Calhoun. He was accused of persuading the President to adopt the New York system of party removals. "It is a detestable system," cried Henry Clay, with long, pointing finger and flashing eye, "it is a detestable system, drawn from the worst periods of the Roman republic, and if it were to be perpetuated—if the offices, honors, and dignities of the people were to be put up to a scramble and to be decided by the results of every Presidential election—our government and institutions, becoming intolerable, would finally end in a despotism as inexorable as that of Constantinople." Mr. Marcy, the friend of Mr. Van Buren, replied. He defended the politicians of New York. "They boldly preach what they practise," he declared. "When they are contending for victory, they avow their intention of enjoying the fruits of it." And then elevating Mr. Swartwout's truthful description, "the general scramble for plunder," into a statelier metaphor, he first used the famous phrase, "They see nothing wrong in the rule that to the victor belong the spoils of the enemy."

That phrase described the system which President Jackson introduced and which all his successors of all parties have followed. Its motto is *Væ victis*, woe to the conquered, and, whichever party is the victor, the

country is always the victim, and its interest, honor, and character follow chained and captive the chariot of the conqueror.

Nor have we had from any President a single word of manly protest against this monstrous system, until now President Grant says, in words which in spirit are worthy to stand with those of Washington: "There has been no hesitation in changing officials in order to secure an efficient execution of the laws; sometimes, too, when in a mere party view undesirable political results were likely to follow. Nor has there been any hesitation in sustaining efficient officials against remonstrance wholly political." At last, thank God, we have got a President whom trading politicians did not elect, and who is no more afraid of them than he was of rebels. And these manly and simple words are as full of cheerful promise as the bulletins of his advance upon Vicksburg. Our Hercules killed the Hydra of the Rebellion. Let him also cleanse the Augean stable of the Civil Service.

Do you ask what is the need of this work? You remember Sir Christopher Wren's epitaph in St. Paul's, *Si monumentum quæris, circumspice*. If you seek his monument, look about you. Every four years the whole machinery of the government is pulled to pieces. The country presents a most ridiculous, revolting, and disheartening spectacle. The business of the nation, the legislation of Congress, are subordinated to distributing the plunder among eager partisans. President, secretaries, senators, representatives are dogged, hunted, besieged, besought, denounced, and they become

mere office-brokers. The heads of departments, who are virtually the appointing power, can have no personal knowledge of applicants. They have also their own hopes, ambitions, and designs. They must depend upon the Congressional brokers, who have also their purposes. They, in turn, must rely upon local committees and partisans at home—all intent upon profit. Swift's contemptuous and familiar lines irresistibly repeat themselves:

“So naturalists observe, a flea
Has smaller fleas that on him prey;
And these have smaller still to bite 'em,
And so proceed *ad infinitum*.”

They all worry and bargain and buy and plot. The country seethes with intrigue and corruption. The time is short. No man is sure of to-morrow. Make hay while the sun shines, and the devil take the hindmost. Economy, patriotism, honesty, honor, seem to become words of no meaning. You know an incompetent doing nothing who is always shiftlessly going behind in his business, and presto! he plunges into politics. He gets up clubs, meetings, processions, transparencies; becomes the active worker of the campaign, running about to post placards and procure speakers and rouse the country for Jones and Justice or Jenkins and the Rights of Man. It is really refreshing to you to behold a little pristine patriotism and devotion, and to see an honest man taking an active interest in politics. Alas! the moment the election is over he presents his little bill, and will take out his patriotic devotion in the biggest office he can get!

And what is the consequence? What would have been the consequence if Mr. Cooper, who built this hall, had managed his business in this way? He would have been not only despoiled, but ruined. The consequence is that the public service is more wretchedly performed and at a higher price than any private work. Officers, appointed not from considerations of fitness, but merely as a reward for the boisterous and busy idleness of politics, who know that there is no promotion, no reward, for zeal or efficiency, and that they are removable at the whim of others, have neither pride nor hope in the fulfilment of their duties. Taught by the system to regard the office as a prize, and warned by the same system that their tenure depends neither on industry, fidelity, nor efficiency, the officer seeks only to make the most of it in the shortest time, both to pay himself handsomely for his struggle in procuring it, and to provide against his early removal either by the victory of the other party—in which case all the trimmers and camp-followers of the victors will enter upon the spoils—or by the victory of his own party, in which case the great principle of rotation in office will roll him out and whirl a needy fellow-partisan in. Meanwhile, as a part of the vast scheme of patronage, the officer is judged, not by the manner in which he does his duty, but by the zeal with which he serves the party and the appointing power. He must devote himself to the management of meetings and elections. He must do what is called the hard work of a campaign. He must pay a heavy tax from his salary for the expenses of the party. I knew a case in which a tax of nearly seventeen per cent.,

or a sixth of his whole salary, was demanded of a civil officer of the United States by his party committee for a mere State election. And when he gave what he thought proper as a citizen and not as an officer to give, which was two per cent. of his salary, his check was returned to him with the remark that the tax was only two per cent. upon the ascertained profits of his office. He quietly replied that if any incumbent of his office had made such profits, he had defrauded the government of nearly eight times the amount of his lawful salary, and he was unwilling to believe that the committee would take a dishonest profit as the basis of their tax. His letter was returned to him without an answer.

Thus the party in power—yes, my friend, my party as well as yours, if you are a Democrat—demands the public money paid to the public servants, in order to keep the party in power; and so curiously sophisticated has the public mind become upon this subject that an officer of the Civil Service recently gravely wrote to a newspaper that it was asking too much of private citizens to attend to the details of politics; that they do their share when they give sympathy, money, and, at the proper time and under proper directions, their votes. But the preliminary work must be left, he says, to those who are the recipients of the legitimate reward of office, and therefore we have such service as Mr. Samuel Swartwout and the writer of this letter choose to give us.

Of course, the reputation of the Service is long since ruined. It appeals to no man's pride. It touches no man's patriotism. The boy's quaint blue-coat in Lon-

don hardly more surely marks him as a charity-scholar than the name of office-holder with us covers a man, however able and industrious he may really be, with a certain vague taint of shiftlessness and incapacity.

I am not saying, nor will you so understand me, that there are not many men of the highest honor, industry, and ability in the Civil Service of the United States. I am speaking of the system, and they know as well as we do that they are exceptional. They know, also, that all those credentials give them and theirs no security of their positions. They know, as we do, that a position procured without qualification and lost without fault, a post without honor or promotion, does not and cannot appeal to the desire and ambition of worthy men. How can a faithful, modest citizen, who would gladly serve the country for a moderate and permanent salary, and who is therefore the very one that the country needs, be attracted by a competition not of excellence, but of impudence and ignorance, and which Swartwout truly described as follows to his friend: "The great goers are the new men, the old troopers being all spavined and ring-boned from previous hard travel. I've got the bots, the fetlock, the hip-joint, gravel, halt, and founders, and I assure you if I can only keep my own legs I shall do well; but I'm darned if I can carry any weight with me"? If this had been a true description of the manner in which the military and naval service of this country had been entered, we may be very sure that no Grant with the bots would have emerged from the Wilderness, no hip-jointed Thomas would have pounded away at Chattanooga, no broken-kneed

Meade have hurled back the Rebellion at Gettysburg, no halting Farragut have forced his way to New Orleans, no spavined Sherman have marched to the sea, no foundered Sheridan have scoured the Shenandoah, nor gravelled Winslow in the *Kearsarge* have sunk the *Alabama*.

The perversion of the Civil Service to a mere party machine is pitilessly cruel. Lately there was an officer in one of the departments, faithful, industrious, valuable. Misfortune fell upon his home, and from his lean salary he scraped a shred to buy comfort for a sick daughter. One day he was politically assessed, but he honestly stated his utter inability to pay. He was reported and condemned. To remove him was impracticable because of the influence that appointed him—so he was “cut down.” Against this inhuman blow he struggled as he could, seeking extra work at night, fighting to keep himself and his family honestly alive. The struggle was too severe. He had been indeed “cut down,” and he died. By the charity of his fellow-clerks he was decently buried and his family were helped to their Western friends. That man was *our* officer, doing *our* duty, doing it well. And how many lives are hanging at this moment in agony of terror by that single thread of patronage. It is an unspeakable cruelty. I do not hold the immediate appointing power responsible for this tragedy. It is the crime of the system. And when we, fellow-citizens, we who might put an end to it by supporting a simple, reasonable reform that would leave the poorly-paid officer to do his duty and to be sure of his place while he did it and to take his equal part in poli-

tics with the rest of us without fear and without favor—when we, who are the government, “cut down” these officers, we are guilty of their death.

But in a country like ours the evil consequences of such an organization of the public service cannot be limited to it. Such a system depreciates the moral standard of the country. When a poor fellow comes in good faith and asks to be made an officer of the customs because he has done all the dirty work of the party, and we allow the justice of his claim, we must not be surprised to find conspicuous citizens ostentatiously professing personal respect, esteem, and friendship for those appointed to high office whom they would not welcome to their homes. Dirty work is always of one nature. It is contemptible or it is criminal. But when it is not only tolerated but honored; when to the lower offices of a nation dirty work is an acknowledged recommendation, we must expect that to the higher offices a notorious and shameless life will be no barrier. What, then, is to be done? When the neighborhood of a Yankee village was infested with bears and wolves, did the people feebly wheeze, “Dear me! Nothing can be done”? No; they turned out and hunted the beasts and trapped and shot them. Let the people turn out and hunt and snare and destroy this foul beast of patronage! Do you ask why the President does not do it? Why does not the Pope reform the Church? Our Hercules is strong, but his strength is the people. He has a will; let them supply the force. Why did not President Lincoln issue his Emancipation Proclamation when

Sumter fell? Because he knew that public opinion would not sustain him. He would not pluck the fruit until it was ripe, and he knew that the fierce heat of war would ripen it fast enough. He wisely waited. But when he raised his hand it was the people moving. When he spoke it was the people speaking. At his word the lovely genius of Liberty, strong with the strength of a people, confronted the ghastly giant of Slavery. "At her feet he bowed, he fell, he lay down; at her feet he bowed, he fell: where he bowed, there he fell down dead."

What we want is to intrench the principle and practice of Washington in the law. Theoretically the President and secretaries are responsible for the manner in which these offices are filled. Practically, the number of such offices makes it impossible that the appointing power should personally know the qualifications of applicants. Those who appoint must depend upon the representations of those who are interested not to tell the truth, or upon the certificates of those who are too weak to dare to tell it. I knew a distinguished public man who signed everybody's petition for every office, and then wrote privately to the appointing power that no attention should be paid to his recommendation; and I have myself been constantly asked by persons whom I never saw or heard of to sign their certificates because of the signature of this very gentleman who, as I knew, publicly recommended the appointment and privately protested against it. So entirely false and meaningless have recommendations to office, even of the highest kind, become that when

the nomination of a foreign minister was recently rejected by the Senate it was found that five senators who voted against the confirmation had warmly urged the appointment.

The Civil-Service Reform therefore begins with the assertion that there is no reason in the nature of things or of our form of government that the United States should not manage its affairs with the same economy, ability, and honesty that the best private business is managed; and that to do this it must take the most obvious means not incompatible with the Constitution, with a popular government, with experience and common-sense. It therefore proposes a system of examinations and probations open to all citizens; the appointments to the subordinate offices to be made from those proved to be best qualified. Mr. Jenckes of Rhode Island, who has made a thorough and thoughtful study of the subject, appealing to Congress and the country with unanswerable facts and arguments, has introduced a bill providing for this reform. I do not discuss its details, both because objections are made to the principle and because the efficacy of the most sagacious plan depends upon the general perception that qualification and not patronage is the true principle of the public service. The value of the kind of system proposed by Mr. Jenckes, namely, selection by competition, has been thoroughly tested in other countries and especially in Russia and England. In 1855 the civil-service tribunal in England was established; but the bill does not provide for open competition of all applicants, but for the examination

of those only who have been previously nominated. The logic of a good system, however, is so imperative that, after an experience of five years, a committee, of which Lord Stanley was chairman, recommended that competition for the junior offices should be open to all subjects, and, simultaneously with the introduction of Mr. Jenckes's bill to Congress, Mr. Fawcett moved in Parliament that all appointments to the civil and diplomatic service should be obtained by open competition. This principle has not yet been fully adopted; but it will be a happy day for England when no lord of the bedchamber can nominate a favorite to be clerk in the Treasury, as it will be a day of thanksgiving in America when the mere party politician in Congress shall no longer quarter his bottle-holders and runners upon the purses of the American people.

The objections which are urged against this imperative reform show rather a desire to oppose than any reason in opposition. Thus, it is urged that the examination would only determine knowledge, but could not ascertain either practical ability or moral quality. Very well, here are three qualifications—knowledge, ability, and morality. Now, if the examination secured only one of them, it is at least one third better than the present system, which does not secure any. This objection merely asserts that the reform would not satisfy an ideal standard. But what then? Shall we have no sanitary system, because it will not abolish small-pox and cholera? Shall we have no police, because the artful dodger will still pick pockets? Shall we have no bench as judges, because there may

sometimes sit upon it a Jeffreys or a—anybody you please who makes justice a byword and law a stench? Shall we maintain the worst conceivable system of public service, because we may not at once improvise the best? A man who showed by examination an average ability would easily prove by a brief probation whether it could be specially applied to advantage. So with moral qualifications; if it be hard to test a man's essential morality, yet vice and ignorance are none the less allied, and certainly inquiry and testimony are more likely to secure honesty than irresponsible certificates of party service.

Then it is said that the reform would establish a circumlocution office and restore the great official practice of how not to do it. Now, I think it would be an extremely clever circumlocution office that would practise that principle more zealously than the present system does. What is the argument of this objection? It is, that if you make a lazy blacksmith a custom-house appraiser of laces because he is a party bully, and tell him that he will lose his office when his superior wants it for some one else; that he must take care of the next election, and will go out if the opposition comes in; and, if his party wins, that he will have had his share of the booty and must expect to give way to some other bully—the argument is that if you do this, the man will probably be an honest and efficient officer; but if you tell him that he shall keep his place as long as he does his duty properly, then he will turn out a lazy and idle do-nothing, and the whole service will be a circumlocution office. What is the foundation

of the circumlocution office? Patronage, which is the very corner-stone of our present system. And it is against patronage, or a system under which noblemen and politicians gave public offices as rewards to their adherents, that Dickens shot his flashing and stinging satire. Even after the civil-service commission was appointed in England, Lord Malmesbury, the foreign secretary, nominated a candidate to a clerkship who had to undergo a pass-examination merely. But he utterly failed, and the commissioners would not give their certificate. Lord Malmesbury angrily remonstrated. "But, your lordship," replied the commissioners, "your candidate cannot spell the simplest words in the language." "Very well," replied his lordship; "I don't think such an accomplishment at all necessary." My lord insisted, the commissioners insisted and they conquered. My Lord Malmesbury was exactly the airy young Barnacle of Dickens's circumlocution office. "Look here," said the young Barnacle, putting his glass in his eye, "upon my soul, you mustn't come into the place saying you want to know, you know." The reform abolished the circumlocution office. Its very principle is *how to do it*, by ascertaining who knows how and providing for the removal of those who are proved neither to know nor to care how.

Or, it is alleged that the reformed civil service will create a favored class and end in a haughty aristocracy. Is this indeed true? If we put capable men into public clerkships upon moderate salaries and turn them out when they become inefficient, shall we be encouraging the growth of a race of Italian tyrants and

of Norman conquerors? Will these proud lords of fifteen hundred and two thousand dollars a year despoil our estates and crush us with taxes and send us to bed at the sound of the curfew? Will they defy the laws and make themselves judges and dispose of our daughters at their pleasure? This impending aristocracy of clerks upon small salaries is as fearful as Bottom's lion. "To bring in, God shield us! a lion among ladies is a most dreadful thing; for there is not a more fearful wild-fowl than your lion living."

Of course, it is not seriously urged that such a system leads to an aristocracy, for to the idea of an aristocracy some kind of privilege or special political power is essential. Now, a clerk in the public service neither gains nor loses by that fact any political power; while, if it be a privilege that a clerk who is fit for his office may retain it as long as he does his duty, as the reform proposes, it is certainly much more a privilege that a clerk who is unfit for his office may retain it for life, as he may under the present system. Moreover, if it be an obnoxious privilege that honest efficiency shall be the tenure of the subordinate offices, it is no less a privilege that one man should fill a clerkship even for four years when every other man in the country has as good a claim to it. The present practice admits to office the unqualified party favorites of a few politicians. The reform throws open these offices to every citizen of proved qualification. Which is the privilege, which is the aristocracy?

"But anyhow," says the same objector, "your new system is taken from monarchical governments and is

single citizen. Remember with what complacent folly a few years ago we derided the effete despotisms of Europe, and pitied Silvio Pellico and Maroncelli because they were doomed to the Spielberg for preaching liberty under Austrian rule; and lo! at the very moment that we pitied and sneered, the most venerable and honorable citizen of one part of our own country could not soberly plead in the courts of another part for the bare observance of the laws without being silenced by a mob and menaced with worse than the Spielberg if he persisted. Let us never forget that those who boasted loudest had the meanest conception of America, and that it was slavery which vociferously called its conquests extending the area of freedom. Despite the roar of conventions on every hand pandering to prejudice and conceit, to class-hatred and to foreign jealousy, despite the assertion that masses of men are ignorant and, if you would move, you must flatter and humor them, let us never forget that what is best in the national character, not what is worst, is most truly American.

To that better sentiment I appeal; to the consciousness that a demoralized nation is a perishing nation, and that the demoralization resulting from our present civil-service system is well-nigh universal, is appalling, almost disheartening. In public opinion, in your opinion, in the opinion of good citizens everywhere, alone lies the hope and the remedy. Let us understand that the time has come when the people of this country must grapple with the trading politicians, the men who trade in politics for their own advantage, the vampires

who suck the moral life-blood of the nation. They will scornfully and desperately resist. The rings, the demagogues, the Swartwouts, the pretorian guards, all the minions of prejudice, passion, and selfish interest, will cry to heaven. Let them cry; our business is to rout them.

"Did you hear that fearful scream?" asked a Union soldier of his comrade in the early days of the war, as they pressed on in the deadly assault up the bloody slope.

"Yes, what is it?"

"It is the rebel yell. Does it frighten you?"

"Frighten me! Frighten me! It is the music to which I march."

And they planted the starry flag of victory upon the rebel rampart.

Let the roar of our opponents be the music to which we march, and we too shall march to victory!

II

THE REFORM OF THE CIVIL SERVICE

A REPORT MADE TO THE PRESIDENT, DEC. 18, 1871, BY THE
CIVIL-SERVICE COMMISSION

It was in 1867 that the first serious attempt at Reform of the Civil Service was made, by the presentation to the House of Representatives, by Mr. Thomas A. Jenckes of Rhode Island, of a report, from the Joint Committee of Retrenchment, on the condition of the Civil Service, accompanied by a bill "to regulate the Civil Service of the United States and to promote its efficiency." A second report was made by Mr. Jenckes in the next year, but it was not until 1871 that action upon the subject was taken by Congress. Then, in recognition of the growing sentiment that something must be done, a section was introduced into the Appropriation Bill, authorizing the President (President Grant) to prescribe rules for admission to the Civil Service, to appoint suitable persons to inquire what rules would best promote its efficiency, and to establish regulations for the conduct of persons who may receive appointments in the Civil Service. This act was approved March 3, and on the next day the President appointed Mr. Curtis and six other gentlemen as a board of inquiry, known as the Civil-Service Commission. The work of the Commission fell mainly upon Mr. Curtis. Its first Report was presented to the President on Dec. 18, 1871. The rules and regulations recommended were adopted by the President on the next day, and sent to Congress with the Report and a Special Message.

In April, 1872, a second Report was presented to the President with further rules regulating appointments, which were likewise adopted and put in force. They remained in operation for three years, in spite of the active opposition of the leaders and brokers of office of the Republican party, the dispensers of patronage under the old system. In the winter of 1875 Congress refused an appropriation for the expenses of the Commission and in March the President, yielding his own convictions, suspended the operation of the Civil-Service rules.

An account of these affairs, and of the subsequent progress of the reform, may be found in an excellent paper, by the Hon. Sherman S. Rogers, of Buffalo, on "George William Curtis and Civil-Service Reform," in the *Atlantic Monthly* for January 1893.

not suited to the genius of our institutions. We'll have nothing from Europe." This objection would probably have reminded Mr. Lincoln of a little story of the hot election of 1829. An anti-Jackson partisan fell into the water, and, when nearly drowned, was seized by the hand and drawn to the surface, while his excited rescuer, delighted to save him, expressed his joy in the familiar phrase, "Hurrah for Jackson!" "What d' you say?" asked the drowning man thickly, but not so far gone that he could not hear the obnoxious name—"what d' you say?" "Hurrah for Jackson!" replied the other. "No, I'll be darned if I'll be saved by a hurrah-for-Jackson man," said the first, shaking off his hand and sinking back into the water. The truth is that a nation not yet a hundred years old would find itself seriously perplexed if it scornfully rejected whatever is approved by foreign experience. If our sense of the fitness of things is so exquisite that we cannot adopt a system, however excellent, because it is found to be compatible with good government elsewhere, what are we to do? Upon this principle the only truly American hen, of course, is one that laid the egg from which she was herself hatched; and exactly in the same way, but in no other, a truly American policy is that which disdains learning from the experience of other nations. If to secure intelligence, industry, and fidelity in the public service by methods which the experience of other countries has approved is not according to the genius of our institutions, and ignorance, incapacity, incalculable waste, and incessant knavery are according to that genius, then it is an evil genius, and our eagle is no eagle, but a

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buzzard. He does not soar to the sun, he stoops to the carrion. But it is a slander to suppose it. The genius of our institutions is reason and common-sense, and therefore we will have anything from anywhere that may be of service. The Chinese wall shall not be high enough to keep tea from the cabin on the prairie, nor the Persian gulf deep enough to hide pearls from the neck of beauty. The deserts of Arabia shall not cozen us of her berry, nor the remotest Himalayan valley of the precious fabric of its skill. If France or Germany or England opens a new path in physical or political science, we will walk in it. If they offer a new invention, we will test it. If they announce a new thought we will consider it. If in any pursuit or art they propose another method than ours, and, testing it, we approve we will adopt it. It is blank barbarism to wrap ourselves in mere nationality and to suppose that we monopolize what is best and fairest in human nature. St Simeon Stylites upon his column renouncing human affections and spurning social relations is not a more pitiful figure than a nation cherishing a morbid conceit of its own superiority and disdaining fraternity with other nations. Beyond the mountains, says the German proverb, there are men also. Beyond the ocean, let us reply, are men as good as we and many a better system. If genuine modesty becomes a man, not less does it adorn a people. When Newton was wisest he said, "My knowledge is small." Now that we have vindicated our character, let us not belittle it by bragging. For the boasting of the nation is just thirty million times more ridiculous than the boasting of a

single citizen. Remember with what complacent folly a few years ago we derided the effete despotisms of Europe, and pitied Silvio Pellico and Maroncelli because they were doomed to the Spielberg for preaching liberty under Austrian rule; and lo! at the very moment that we pitied and sneered, the most venerable and honorable citizen of one part of our own country could not soberly plead in the courts of another part for the bare observance of the laws without being silenced by a mob and menaced with worse than the Spielberg if he persisted. Let us never forget that those who boasted loudest had the meanest conception of America, and that it was slavery which vociferously called its conquests extending the area of freedom. Despite the roar of conventions on every hand pandering to prejudice and conceit, to class-hatred and to foreign jealousy, despite the assertion that masses of men are ignorant and, if you would move, you must flatter and humor them, let us never forget that what is best in the national character, not what is worst, is most truly American.

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THE REFORM OF THE CIVIL SERVICE

To the President :

The ninth section of an act of Congress, approved March 3, 1871, and entitled "*An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirty, eighteen hundred and seventy-two, and for other purposes,*" provides "That the President of the United States be and he is hereby authorized to prescribe such rules and regulations for the admission of persons into the civil service of the United States as will best promote the efficiency thereof, and ascertain the fitness of each candidate in respect to age, health, character, knowledge, and ability for the branch of service into which he seeks to enter; and for this purpose the President is authorized to employ suitable persons to conduct said inquiries, to prescribe their duties, and to establish regulations for the conduct of persons who may receive appointments in the civil service."

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not authorized to propose laws or to reorganize the offices, but to inquire what rules and regulations for admission to the service, which the President could enforce under existing laws, would best promote efficiency.

The public service of the United States is divided into three branches—the civil, military, and naval. The Civil Service may be defined as that which is neither military nor naval, and comprises all the offices by which the civil administration is carried on.

The Constitution authorizes each House of Congress to choose its own officers. It empowers the President to nominate and, by and with the advice and consent of the Senate, to appoint certain officers, who are mentioned by name, and all other officers whose appointments are not otherwise provided for in the Constitution, and which shall be established by law. It authorizes Congress to vest, by law, the appointment of such inferior officers as it may think proper in the President alone, in the courts of law, or in the heads of departments. The courts of law appoint their own officers. The President alone appoints very few, and they are mainly of an honorary character. Those who are appointed by the President, by and with the advice and consent of the Senate, are in number about three thousand. The other inferior officers, about fifty thousand in number, are appointed by the heads of departments, sometimes directly, sometimes upon the nomination of another officer.

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both Houses of Congress and by the courts of law, and a few who are appointed by the head of the Department of Agriculture, the civil officers of the government are included in the seven great departments of which the heads are Cabinet officers—the Department of State, of the Treasury, of War, of the Navy, of the Interior, of the Post-office, and of Justice.

During the early administrations appointments were made from considerations of character and fitness, and removals took place for cause. This practice, as it was the wisest and most reasonable, was also to be expected, because Washington having been unanimously elected to the Presidency, party divisions, as we know them, were developed only towards the close of his administration. He required of applicants proofs of ability, integrity, and fitness. "Beyond this," he said, "nothing with me is necessary or will be of any avail to them in my decision." John Adams made few removals, and those for cause. Jefferson said that the pressure to remove was like a torrent. But he resisted it, and declared, in his famous phrase, that "the only questions concerning a candidate shall be, Is he honest? is he capable? is he faithful to the Constitution?" Madison, Monroe, and John Quincy Adams followed him so faithfully that the Joint Congressional Committee upon Retrenchment reported in 1868 that, having consulted all accessible means of information, they had not learned of a single removal of a subordinate officer except for cause, from the beginning of Washington's administration to the close of that of John Quincy Adams.

During all this time, however, party pressure for re-

removals was not unknown. Under Madison's administration, Josiah Quincy, in a familiar passage, described with caustic satire the sycophancy and servility of the pressure for office that followed the death of an incumbent. When an auditorship of the Treasury became vacant under Monroe, among the applicants were five United States Senators and thirty Representatives in Congress. John Quincy Adams, who steadily resisted the pressure, said that he was "tormented" with ceaseless applications for office; and in 1828 Mr. Van Buren said that the chief justice of the proudest and largest State was a candidate for a place in the Treasury Department to which none but third-rate men would aspire. Such facts illustrate the pressure for office under a system of mere personal favor and selection. Although this system required fitness, and refused to make vacancies by removals in obedience to party influence, yet there was always a hope that, as the appointing power had established no independent method of determining fitness, a strenuous party or personal pressure might affect its will. A struggle was therefore inevitable. The party pressure was already "tormenting," and as the number of offices increased and the power of patronage developed it was to be expected that it would attempt to control the whole Civil Service for the benefit of a party.

This practice was virtually declared as a rule of action in the year 1832. Mr. Van Buren was in that year nominated Minister to England, and, in advocating his confirmation, Senator Marcy, of New York, first used the famous phrase in reference to the offices of the

Civil Service, "To the victor belong the spoils of the enemy." From that time it has been practically the motto of the administration of every party. As its evil results have been observed, various efforts have been made to obviate them. The most strenuous and continuous of these was that with which the Hon. Thomas A. Jenckes of Rhode Island is conspicuously identified. The investigations and reports upon this subject of the Joint Committee of Retrenchment, in the Thirty-ninth and Fortieth Congresses, of which he was a member, obtained and recorded a mass of valuable information which he forcibly presented in his speeches upon the floor. But the practice had become a tradition which was not readily disturbed. No measures for a general reform were taken until the close of the Forty-first Congress, when, upon the positive recommendation of the President, the section of the act was passed under which we have been employed.

In speaking of the present condition of the Civil Service we criticise a system, not individuals, and a system which has been hitherto sustained by common consent. It is pleasant to express our conviction not only that there are many men of the highest character and ability in the service of the government, but that the large majority of the persons so employed cannot justly be suspected of improper conduct. Certainly incapable officers have not been sought, and doubtless there are honest and pure men enough in all parties to fill the offices. But certainly, also, proved character and tested capacity are not essential to admission to the Civil Service, and when partisan sympathy and activity take

precedence of ability, industry, and special fitness, as qualifications for the inferior offices of the government, it is impossible that the service should have the efficiency and purity which economical administration requires, and which the country has a right to demand.

In obedience to this system the whole machinery of the government is pulled to pieces every four years. Political caucuses, primary meetings, and conventions are controlled by the promise and the expectation of patronage. Political candidates for the lowest or the highest positions are directly or indirectly pledged. The pledge is the price of the nomination, and when the election is determined pledges must be redeemed. The business of the nation, the legislation of Congress, the duties of the departments, are all subordinated to the distribution of what is well called "the spoils." No one escapes. President, secretaries, senators, representatives, are pertinaciously dogged and besought on the one hand to appoint, on the other to retain, subordinates. The great officers of the government are constrained to become mere office-brokers. Meantime they may have their own hopes, ambitions, and designs. They may strive to make their patronage secure their private aims. The spectacle is as familiar as it is painful and humiliating. We accuse no individual. We appeal only to universal and deplorable experience.

The evil results of the practice may be seen, first, in its perversion of the nature of the election itself. In a free country an election is intended to be, and of right should be, the choice of differing policies of administration by the people at the polls. It is properly the judg-

ment of the popular intelligence upon the case which has been submitted to it during the canvass by the ablest and most eloquent advocates. But the evil system under which the country suffers tends to change the election from a choice of policies into a contest for personal advantage. It is becoming a desperate conflict to obtain all the offices, with all their lawful salaries and all their unlawful chances. The consequences are unavoidable. The moral tone of the country is debased. The national character deteriorates. No country or government can safely tolerate such a surely-increasing demoralization.

The influence of this system upon those who hold office may be inferred. Officers appointed chiefly as a reward for personal and party service and not upon proof of fitness, who know that there is no certain promotion for merit, and that they hold their places only until others with more influential friends can thrust them out, can have neither pride nor hope in the fulfilment of their duties. They are deprived of the usual incentives to diligence and efficiency of men in similar but private positions. Taught by the system to regard the office as a prize, and warned by the same system that their tenure is neither character nor fitness, they are sorely tempted to make the most of it in the shortest time, both to repay the trouble and expense of procuring it and to provide against early removal. Meanwhile, as a part of the vast scheme of patronage, an officer who is appointed solely in deference to political pressure is judged, not by the manner in which he does his duty, but by the zeal with which he serves the influ-

ence that secured his place. He is poorly paid, but a tax is levied upon his salary for the expenses of the party, and, although it is called a voluntary contribution, he is made to understand that there are scores of applicants who would gladly take his place with every encumbrance, and he therefore pays from fear of possible removal. Thus it has become the practice of every party in power to seek to retain power by levying upon the money paid to the public agents for the public service.

There are honorable men who enter the service with the sincerest purpose of doing their duty, but the evil condition of the system forces them often to profess what they do not believe, and in a manner which is repugnant to them. They do not have that pride in the Civil Service of the country which distinguishes the military and naval services. For how can a position so often procured without proved qualification, and so often lost without fault, appeal to the desire or the ambition of worthy men? There are modest and honest and able citizens enough who would gladly serve the country for a moderate and permanent salary, and who are the very servants the country needs; but they decline to enter upon a competition not of excellence but of influence; a competition in which actual qualification does not determine the result. The conditions of the service are such that they cannot avoid the feeling that their minds are often regarded as mortgaged, their opinions as hired. Nor is this surprising when it is remembered that a bill was introduced into Congress a year ago forbidding the minor officers in the Civil Service the usual political liberty of all American

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During the early administrations appointments were made from considerations of character and fitness, and removals took place for cause. This practice, as it was the wisest and most reasonable, was also to be expected, because Washington having been unanimously elected to the Presidency, party divisions, as we know them, were developed only towards the close of his administration. He required of applicants proofs of ability, integrity, and fitness. "Beyond this," he said, "nothing with me is necessary or will be of any avail to them in my decision." John Adams made few removals, and those for cause. Jefferson said that the pressure to remove was like a torrent. But he resisted it, and declared, in his famous phrase, that "the only questions concerning a candidate shall be, Is he honest? is he capable? is he faithful to the Constitution?" Madison, Monroe, and John Quincy Adams followed him so faithfully that the Joint Congressional Committee upon Retrenchment reported in 1868 that, having consulted all accessible means of information, they had not learned of a single removal of a subordinate officer except for cause, from the beginning of Washington's administration to the close of that of John Quincy Adams.

During all this time, however, party pressure for re-

removals was not unknown. Under Madison's administration, Josiah Quincy, in a familiar passage, described with caustic satire the sycophancy and servility of the pressure for office that followed the death of an incumbent. When an auditorship of the Treasury became vacant under Monroe, among the applicants were five United States Senators and thirty Representatives in Congress. John Quincy Adams, who steadily resisted the pressure, said that he was "tormented" with ceaseless applications for office; and in 1828 Mr. Van Buren said that the chief justice of the proudest and largest State was a candidate for a place in the Treasury Department to which none but third-rate men would aspire. Such facts illustrate the pressure for office under a system of mere personal favor and selection. Although this system required fitness, and refused to make vacancies by removals in obedience to party influence, yet there was always a hope that, as the appointing power had established no independent method of determining fitness, a strenuous party or personal pressure might affect its will. A struggle was therefore inevitable. The party pressure was already "tormenting," and as the number of offices increased and the power of patronage developed it was to be expected that it would attempt to control the whole Civil Service for the benefit of a party.

This practice was virtually declared as a rule of action in the year 1832. Mr. Van Buren was in that year nominated Minister to England, and, in advocating his confirmation, Senator Marcy, of New York, first used the famous phrase in reference to the offices of the

Civil Service, "To the victor belong the spoils of the enemy." From that time it has been practically the motto of the administration of every party. As its evil results have been observed, various efforts have been made to obviate them. The most strenuous and continuous of these was that with which the Hon. Thomas A. Jenckes of Rhode Island is conspicuously identified. The investigations and reports upon this subject of the Joint Committee of Retrenchment, in the Thirty-ninth and Fortieth Congresses, of which he was a member, obtained and recorded a mass of valuable information which he forcibly presented in his speeches upon its floor. But the practice had become a tradition which was not readily disturbed. No measures for a radical reform were taken until the close of the Forty-ninth Congress, when, upon the positive recommendation of the President, the section of the act was passed under which we have been employed.

In speaking of the present condition of the Civil Service, we criticise a system, not individuals, and a system which has been hitherto sustained by common consent. It is pleasant to express our conviction not only that there are many men of the highest character and ability in the service of the government, but that the large majority of the persons so employed cannot justly be charged with improper conduct. Certainly incapable persons have not been sought, and doubtless there are plenty of pure men enough in all parties to fill the ranks. But certainly, also, proved character and tested ability are not essential to admission to the Civil Service. And when partisan sympathy and activity take the place of

precedence of ability, industry, and special fitness, and qualifications for the inferior offices of the government, it is impossible that the service should have the efficiency and purity which economical administration requires, and which the country has a right to demand.

In obedience to this system the whole machinery of the government is pulled to pieces every four years. Political caucuses, primary meetings, and conventions are controlled by the promise and the expectation of patronage. Political candidates for the lowest or the highest positions are directly or indirectly pledged. The pledge is the price of the nomination, and when the election is determined pledges must be redeemed. The business of the nation, the legislation of Congress, the duties of the departments, are all subordinated to the distribution of what is well called "the spoils." No one escapes. President, secretaries, senators, representatives, are pertinaciously dogged and besought on the one hand to appoint, on the other to retain, subordinate. The great officers of the government are constrained to become mere office-brokers. Meantime they may have their own hopes, ambitions, and designs. They may strive to make their patronage secure their private aims. The spectacle is as familiar as it is painful and humiliating. We accuse no individual. We appeal only to universal and deplorable experience.

The evil results of the practice may be seen, first, in its perversion of the nature of the election itself. In a free country an election is intended to be, and of right should be, the choice of differing policies of administration by the people at the polls. It is properly the judge

ment of the popular intelligence upon the case which has been submitted to it during the canvass by the ablest and most eloquent advocates. But the evil system under which the country suffers tends to change the election from a choice of policies into a contest for personal advantage. It is becoming a desperate contest to obtain all the offices, with all their lawful salaries and all their unlawful chances. The consequences are avoidable. The moral tone of the country is deteriorating. The national character deteriorates. No country government can safely tolerate such a surely-coming demoralization.

Influence of this system upon those who hold office may be inferred. Officers appointed chiefly as a favor for personal and party service and not upon fitness, who know that there is no certain prospect of merit, and that they hold their places only so long as they have more influential friends can thrust themselves forward. They can have neither pride nor hope in the fulfilment of their duties. They are deprived of the usual incentives to diligence and efficiency of men in similar positions. Taught by the system to regard office as a prize, and warned by the same system that tenure is neither character nor fitness, they are tempted to make the most of it in the shortest time, both to repay the trouble and expense of procuring it, and to provide against early removal. Meanwhile it is a part of the vast scheme of patronage, and the officer is appointed solely in deference to political considerations, judged, not by the manner in which he does his duty, but by the zeal with which he serves the influ-

ence that secured his place. He is poorly paid, but tax is levied upon his salary for the expenses of the party, and, although it is called a voluntary contribution, he is made to understand that there are scores of applicants who would gladly take his place with ever encumbrance, and he therefore pays from fear of possible removal. Thus it has become the practice of every party in power to seek to retain power by levying upon the money paid to the public agents for the public service.

There are honorable men who enter the service with the sincerest purpose of doing their duty, but the evil condition of the system forces them often to profess what they do not believe, and in a manner which is repugnant to them. They do not have that pride in the Civil Service of the country which distinguishes the military and naval services. For how can a position so often procured without proved qualification, and so often lost without fault, appeal to the desire or the ambition of worthy men? There are modest and honest and able citizens enough who would gladly serve the country for a moderate and permanent salary, and who are the very servants the country needs; but they decline to enter upon a competition not of excellence but of influence; a competition in which actual qualification does not determine the result. The conditions of the service are such that they cannot avoid the feeling that their minds are often regarded as mortgaged, their opinions as hired. Nor is this surprising when it is remembered that a bill was introduced into Congress a year ago forbidding the minor officers in the Civil Service the usual political liberty of all American

citizens to serve as delegates in political conventions or as members of political committees. It is the sharpest criticism upon the system that it is held to unfit a citizen for the honest discharge of his political duties. And yet there is no one who is familiar with its practical operation who does not feel that there was reason in the proposition.

But the mischief does not end here. When public offices are regarded only as rewards for political service they will be constantly multiplied to supply more places. There will be incessant temporary employments, as they are called, and consequent deficiency bills and supplementary appropriation bills. Meanwhile the influence which has obtained the office, not for the public service, but as a private reward, will be slow to see inefficiency or actual dishonesty in the conduct of the incumbent. The tendency will be to disbelieve and to excuse, and to postpone inquiry; so that, under this system, not only are useless offices created, but there is the strongest temptation to conceal corruption, and every abuse and every extravagance, resulting from a multiplication of such offices, are constantly increasing.

It is not possible to compute in figures the exact economical difference between a good and a bad system of the Civil Service. It is, necessarily, a matter of inference and of comparison between the probable operation of a careless and a careful method. But it is estimated, by those who have made a careful study of all the facts, that one fourth of the revenues of the United States is annually lost in the collection, and for a large part of that loss a system of the service which is fatally unsound may reasonably be held responsible.

But while these are the necessary results of the present system of admission, both upon the service itself and upon the character of those who are employed in it, there are evils to be considered still more serious. The appointing power is vested chiefly in the President, by and with the advice and consent of the Senate, and in the heads of departments. It is not possible that applicants for office should be personally known to the appointing power, and it is, therefore, compelled to depend upon the representations of others, while, from the unfortunate nature of the case, such representations must be distrusted. The knowledge of the character of the system is so universal that no appointing authority can be supposed to be ignorant of the probable personal or political interest in the appointment of those who urge it most strenuously. There are, indeed, many honorable men active in politics whose motives are beyond suspicion, and who recommend only fit persons for appointment. But even such persons, with no ill intention, suffer themselves to be wheedled. Persons in high position do not hesitate to sign certificates without previous knowledge and from mere complaisance, privately notifying the appointing power to disregard their names. Thus the appointing officer must depend upon those whom he must of necessity distrust, either because of his interest or of mere carelessness, and the appointment is often made without real knowledge of the qualification of the candidate, and the public service is filled with persons appointed in a manner that no sensible man would adopt in his own private service.

But when the application is urged upon the executive for

department by a member of the legislative branch of the government, the mischief becomes intolerable. It is often by the power of patronage that a representative is chiefly known to what are called the active politicians among his constituents. He is held to be their agent and broker of offices. They have done his work and he must do theirs, and his position often depends upon his fulfilment of pledges. When, therefore, he applies to the appointing power there is a kind of urgency which it is hard to resist. It is not a favor only that he asks, it is the means of fulfilling a bargain. The appointing power is subjected to threats and the blandishment of personal solicitation. And these are incessant and urgent, not in the degree of the fitness of the candidates, but in that of the interest of those who urge him. The place is demanded in the name of the party. Yet granting the favor is not necessarily a benefit to the party; it is often a profit to one man only and his followers.

Even if the appointing power declare that it prefers a certain person, peculiarly fitted for the place, the appointment is, nevertheless, demanded or contested as of right by the friends of other persons. If the appointing power persists, and the place is filled as it prefers, only after a long and annoying resistance to pressure.

But should it be the head of a department who asks some measure before Congress for which he wishes every vote that he can procure, there is a powerful temptation to yield the appointment in order to secure the vote. Thus the evil system increases official temptation and makes honesty difficult; and it is not surprising that a

bill was recently introduced into Congress making it a penal offence for members of Congress to importune the appointing power for places.

While, therefore, the appointing power is chiefly and properly vested in the executive department, because that department is responsible for executive administration, yet the practice that has arisen under the evil theory of the Civil Service tends to make the President and secretaries merely the appointment clerks of Congress, from which body the Constitution carefully withholds the appointing power. One result we have just considered, but there are others. Thus it is not denied that the chief national appointments in the several States are now really made, not by the President and the Senate, but at the pleasure of the senators from the States in which the office is to be filled. The President may have personal knowledge of the unfitness of certain persons whose appointment is sought, but if the senators from the State are in favor of these persons, the President must yield his knowledge to their pleasure, or the offices must remain unfilled. The Senate will, indeed, naturally and properly inform itself in regard to particular candidates by the knowledge of its senators who may be supposed to know something of them. But when it governs its own action merely by the will of such senators, it makes them virtually the appointing power, and so destroys one of the fundamental safeguards of the Constitution. It is impossible that the Legislature should absorb the executive function of appointment and remain pure. One of the wisest American political writers remarked, before the Com-

tution was adopted, "When the Legislature is corrupted the people are undone."

These are some of the serious and threatening evils of the present practice of treating the inferior posts of administration as party prizes. It exasperates party spirit and perverts the election. It tends to fill the public service with incapacity and corruption, destroying its reputation and repelling good men. It entices Congress to desert the duties to which it is especially designated by the Constitution, and tempts the Executive to perilous intrigue. But the effects of so mischievous a system cannot be confined to itself. Politics cannot be made a mere trade without dangerously relaxing the moral character of the country.

The arguments by which the present pernicious practice is justified seem to us wholly unsound. It is alleged that when the people vote to change the general policy of the government they also intend to change every subordinate officer who is to assist in carrying out the policy. But this was certainly not the theory or practice of those who established the government. President Jefferson, who was one of the most conspicuous party chiefs in our history, and whose election effected a radical change of political opinion, was, as we have seen, careful both to disavow the theory and to resist its consequences. Moreover, the theory springs from a false conception of a general election. Such an election is, indeed, the declaration of the popular will as to the policy of government; but the great multitude of the subordinate officers are wholly ministerial and do not determine measures of administration, and a

practice which necessarily fosters extravagance and corruption in the details of administration is one which the people cannot justly be assumed to desire.

Again: The perversion of the service to personal and party ends, with the countless and perilous atavities which attend it, seems to many persons inseparably from a popular republican government. It is but to be urged that the offices belong to the successful party and that party service should be paid with office, and cause what is called the hard work of a political campaign would not be performed unless there were the understanding that the workers should be so rewarded. This is to say that patronage is indispensable to party organization. But it is a mere assertion in palliation of an evil practice. To insist that service to the successful party ought to be rewarded by office is offensive to the just American principle that, while every citizen should be ready to fulfil every political duty that may be fairly asked of him, no one has any claim to any office whatever. If the money that a man has spent as during a political campaign, and the time and effort that he has devoted to the success of principles is a policy which he must be supposed to approve, and so is to be considered claims upon an office, then they are the price of the office, and his relation to the office by his to the contest is venal, which is the precise evil of the present practice. Within a few years a representative was expelled from Congress because he had sold his appointment to West Point. It was but an illustration of the inevitable result of an evil system of the Civil Service. For if offices may properly be bartered for

party service, it is not surprising that appointments should be sold for money.

But when the present system is said to be of advantage to the party, it is forgotten that it is a system thoser which the patronage of the office is not given gation party constituency, to be bestowed as it may mon se, but to certain individuals. The office becomes, callyefore, the reward, not of service to a party, but requan individual. Every minor officer, who holds his by ce by the favor of certain influential persons, will encourally regard the interest of those persons rather taian that of the country. It is for this reason that the Thlue of patronage to a party is greatly exaggerated. bene present Governor-general of Canada, who has had amig official experience in England as a Lord of the probasury, said, some years since, that he considered scorporage to be a source of weakness rather than of

length to a party; and close observers in this country inatuld doubtless agree with his opinion. It may, in- of td, be useful to certain persons as a matter of traffic, hose the waste and dishonesty that it breeds recoil upon y party by bringing it into disrepute. And this is impecially true, now that the press in this country is edgoming more and more independent of favors from and administration, and rigorously tests the government the he standard of private conduct.

be a is true that the offices belong to the people, who that the source of the government itself, and not to those for o fill them; but they belong to all the people, not to glori individuals. The people may and do designate which posiil be filled by election and which by appointment.

But when once the appointing power is vested, no individual has any right to demand its exercise in his favor unless he can show superior fitness for the duties he seeks to perform. For the country justly expects in the appointed offices the highest character and capacity for which it pays, and the appointing power is morally bound to take all practicable means that seem to it most likely to ascertain those qualifications. When it is said that to do this and to insure to the honest and capable officer the same security of tenure that he has elsewhere is to create a privileged class, it seems to be forgotten that those who now dispense the patronage are already a privileged class, using the promise of patronage to secure for themselves the places which they then use the patronage itself to retain.

There is, in our judgment, no justification for the present practice of appointment to the Civil Service, either in reason or in the character or necessities of the government. Its evils are not denied, and the remedy is obvious. It is to substitute fitness for patronage as the ground of admission to the public service; to provide the same reasonable security of tenure which fidelity and capacity command in private positions; and to guarantee promotion to merit, by insisting upon entrance to the service at the lowest grade. If these be the requirements and the assurances in the public service, and it be regulated accordingly, the utmost practicable efficiency and economy are guaranteed; honest, faithful, and competent men will be more and more attracted to it; and the ignorant and vicious will be repelled.

If, then, it be conceded that nobody should be appointed to any position in the Civil Service who is not qualified by character, capacity, and intelligence to discharge its duties, it is obviously necessary to ascertain those qualifications. This can be done only by investigation, examination, and probation. It is a very common opinion, however, that examinations will be practically of no service, because the character and qualities required cannot be ascertained by investigation or tested by examination. To this kind of objection it might be enough to ask, in reply, whether they can be ascertained without investigation, or tested without trial? The truth is, that the character of an applicant cannot be known without inquiry; his knowledge, without examination; or his special aptitude for duty, without probation. The sole question is, What shall be the scope and method of these inquiries?

It is constantly forgotten by those who oppose examinations that the alternative offered is the appointment of those who are found to be fit by examination, or of those of whose fitness the appointing power is other-

ly satisfied. It is warmly asked whether a man can determine for himself what men he wishes for subordinates better than any examining board? Now, and I will deny that some kind of qualification is the necessary to the various positions in the Civil Service. Some of them may, indeed, demand a very limited education, an intelligence which is almost to be presupposed in every applicant. But even here there are exceptions. If only mechanical copying is required of positions, that one of the applicants who, other things

being equal, writes the most legible hand with the most ease, accuracy, and despatch, should certainly be preferred; and that superiority can be ascertained only by a competing examination. There is no great appointing officer in the country whose acquaintance would enable him to fill the offices at his disposal with those whom he personally knows to be competent. The real question, therefore, is, Can this competence be more nearly ascertained by direct examination of the candidates or by the certificates of interested and virtually irresponsible persons?

If, by examination for admission to the Civil Service, nothing were understood but a test of mere literary proficiency, it might be reasonably opposed as unsatisfactory. For it is unquestionable that a man might be an excellent appraiser of linen and yet know nothing of history or of accounts. But, on the other hand, it is equally undeniable that an excellent appraiser of linen is not the less excellent because of general intelligence. Of two good accountants, the one who has the most general knowledge is certainly preferable; and a country which declares that, where technical skill is equal, it will select the candidate for its service who is the better educated, is a country which directly and practically encourages intelligence and morality. It is true that very distinguished men in the public service might not have passed a certain literary examination which is now required of younger men entering the same service. But it is equally true that the older men could have passed the examination had it in their day been required. And the proof is the capacity of work which their present distinction is the evidence.

It is suggested, also, that a system of examinations would end in filling the Civil Service exclusively with young men fresh from the academies and the colleges, or with persons who have failed or "broken down" in some of the learned professions. This, again, arises from a total misconception of the nature of a proper examination. If the post to be filled were, for instance, that of the keeper of a light-house, the examination would naturally have chief reference to the duties of such a position, to habits of regularity, in many cases to familiarity with the sea, to general faculty or "shiftiness," indispensable in such a post—indeed, to qualifications which cannot be presumed in the fresh graduate of the academy or the college, or in those who have failed in all other pursuits. So, if it were a position requiring technical knowledge, or one demanding moral qualities in a high degree, or practical familiarity with men and affairs, the literary examination might be excellent, but the special examination and the probation would possibly, in the cases mentioned, not be satisfactory.

Yet, on the other hand, a system which, by requiring impartial examinations in general and special knowledge, should tempt young men fresh from their studies and with all the spirit of youth, to fill the positions in the public service for which they were qualified, would be a great public benefit. It would be the declaration that, as the country provides means of instruction freely for all, and rests its hopes of increasing greatness and glory upon the intelligence of its citizens, an honorable position in its Civil Service should be the reward of

fidelity and zeal in study both in the common school and in the academy. It is true that it is not the purpose of a civil service to educate the citizen, and that the duties of those who hold its offices are not those of a school. But the relation between ignorance and vice is so close and familiar that the wisdom and economy of a policy which, by encouraging education, raises the character and promotes the efficiency of the public service, cannot be denied.

It is sometimes thought, also, that men of the best character and fitness would object to be examined for entrance into the service. There may be individuals who would feel this reluctance, but when once it was the universal condition of admission their objections would disappear. When freed from associations which are wholly foreign to it, when the positions cease to be party rewards, employment in the Civil Service would be no less honorable in its degree than that in any other, and it would be entered as willingly upon the same terms.

Again: A system of the service founded upon fitness, to be ascertained by inquiry, disturbs, of course, many traditions. There are certain offices of very large emolument, the proper duties of which require great technical knowledge as well as high character and vigorous administrative will. These offices have become almost exclusively partisan agencies in which the incumbent is expected, in the popular phrase, to "run the party," while some subordinate actually discharges the proper duty of the office. A system which should bestow such an office when it becomes vacant upon the subordinate if he were fitted for it would be indeed a

strange innovation upon the present practice, but it would be only reasonable, economical, and patriotic. There could be no valid objection to it unless it could be shown that the office was in its nature properly political and not merely ministerial.

But to promote the efficiency of the Civil Service it is not enough to ascertain fitness by examination and to test aptitude by probation, unless there also be provided a reasonable security of tenure of the office. This is so clearly seen by those who have reflected most carefully upon the subject that many of them are unable to perceive any remedy of the present evil, except in the provision of a fixed tenure for a term of years and of removal only for cause proved. It is undeniable, however, that such fixity of tenure tends to great perplexity and inconvenience in administration, and that the responsible head of a branch of the public service may justly complain if he has no immediate control of his subordinates. If it were necessary to establish unfitness or indolence, for instance, by such proof as would be accepted in a court of law, sentence would seldom be pronounced, even against notorious delinquents. Moreover, the details of official conduct which most perplex a smooth and satisfactory administration are always obvious to the competent and responsible chief, but are not always, or indeed often, of a kind to be proved in a court. A discretion of removal in such cases, if so guarded in its exercise that it be not liable to abuse, is most desirable in every office. It is that which secures the efficiency of private business, where the chief has an unrestricted power of removal, which

is not abused, because he desires only effective service, and has no irrelevant reason to discard a faithful servant. It is true that the head of a public office has not the same kind of interest in it that a private proprietor has in his own business. But he is held responsible for an efficient and rigorous discharge of duties which are done by subordinates; and if he has no inducement to remove those subordinates except such as would cause their removal from private employment, they have the same tenure which every honest and faithful agent everywhere enjoys.

At present, both selection and removal are largely determined, not by the welfare of the service, but by political stress and exigency. Theoretically, the head of the department appoints; actually, this is true only with great limitations. The power of appointment properly implies knowledge and discretion. But it has become merely approval of selections which are made by others, who are charged with no responsibility for the officers whom they designate. Indeed, it may be said that, except in certain positions where capacity and permanence are absolutely indispensable to the transaction of the daily business of the government, there is no tenure whatever except personal influence.

We do not forget that, under the act of 1853, there are examinations held in some of the public offices in Washington, and sometimes elsewhere, for admission into the service, and we know that some of these examinations are thorough and impartial. But they are examinations of those only whom party influence has designated. This is substantially the method that was

pursued in England after the order in council of May 21, 1855, the first order under the reformed system, and which has been abandoned in favor of the more satisfactory results to the service of an open competitive examination. Examinations after nomination are exposed constantly to the malign pressure of an evil system. Indeed, where they exist they are merely tolerated, not approved, by that system, because, so far as they are really efficient, they tend to defeat the objects which the present system seeks, namely, the satisfaction not of general but of particular party considerations. Nor while the system continues can the results of such examinations be any guarantee of tenure. The difficulty is not in the examination, but in the coercion to nominate for examination, by dismissal of an incumbent to make a place for him who passes. Thus it is impossible that, under the present system, however apparently guarded, there should be any security of tenure, without which no real improvement can be expected. While, therefore, it cannot be fairly asked that the public officer should have any other security of his place than that which fidelity, industry, and efficiency would guarantee to him in a private position, yet so much may justly be demanded and should be assured. For whatever the disadvantages of an arbitrarily fixed tenure may be, they are certainly less than those of the present system of cruel uncertainty and causeless removal.

Notoriously, however, the pressure for appointment is not generally directed against an incumbent because of personal hostility or of any knowledge of miscon-

duct. It does not wish to put one man out, but it does wish to put another man in. Yet one cannot come in unless the other goes out, and, therefore, honest and faithful men are constantly dismissed to make room for others no more honest or faithful and of less experience, but who can command more powerful political support.

Nothing could be more fatal to a sound service. Yet it is not unreasonable that, under a system founded upon party patronage, such practices should prevail. After Mr. Marcy had said that "to the victor belong the spoils of the enemy," he remarked, "but I never said that the victor should plunder his own camp." Yet that was the logic of his principle. The hardest fighter should have the most spoils. There is no logic in equal division between him who merely wishes well to the cause and him who fights the battle. If influence is to appoint, the lesser influence must yield to the greater; and when a man has not been appointed by reason of his fitness, he must not ask that he be retained on account of his merit. The doctrine of rotation in office implies that merit should not be considered. It treats the public service as a huge soup-house, in which needy citizens are to take turns at the table, and they must not grumble when they are told to move on. Plainly, if this political pressure for the appointment of a particular person could be baffled, the present uncertainty of tenure would be corrected. The head of a department who should fill the various offices under him, not with favorites of certain men, but with those who are found to be qualified, would then

have none but legitimate reasons for the removal of any faithful and efficient officer. Conspiracy and slander against any individual would then have no especial inducement or opportunity, and capacity, character, and efficiency would secure the same tenure as in all other spheres of duty.

It seems to us, therefore, more desirable to afford this reasonable security of permanence in office by depriving the head of illegitimate motives for removal rather than by providing a fixed tenure, to be disturbed only upon conviction after formal accusation and trial. There is, indeed, no reason for such a tenure, unless it can be shown from the nature of the system that the power of removal is likely to be abused.

Admission to the higher grades of employment in the Civil Service by promotion is another cardinal condition of a sound system. When it is understood that good character and superior fitness procure entrance to office, and that the tenure is dependent upon conduct, and that conduct and ability determine promotion, the desire of entering a service which thus offers a career to honorable ambition will naturally be felt by many who command no political influence, and who do not care to enter now. At present, all the advantages of promotion in stimulating zeal and fidelity are lost because there is practically no system of promotion. The most industrious and competent officers constantly see others, inexperienced and often incompetent, suddenly brought into the service from the outside and placed above them. It is disheartening to the officer and dangerous to the service, because, however bad the present practice may

be, and however illogical under that practice to expect merit to be regarded, yet the simple fact that there is and can be but one true principle of a good service will constantly assert itself in the mind of the incumbent. The prospect of promotion by merit, upon the other hand, will quietly animate every officer to such discharge of his duty that there will be a constant competition of excellence.

Promotion by mere seniority would have no tendency to improve the service, because it is then a question of time merely, and is entirely beyond the will of the officer. He waits patiently for the death or resignation or removal of the man before him, sure that, except for flagrant misconduct, he will succeed to his place. Official duty becomes a routine, and men will by seniority often be found in the higher places who are only fitted for the lower.

It is true that it is hard for a man who has grown gray in a lower post to see younger men newly entered and advancing by proved fitness beyond him. But his experience will always have necessary weight in any examination; and if that experience fails to qualify him for the higher post, although his age and long service may justly entitle him to support, they should not be held to entitle him to a position for which others are more qualified.

Carrying the same principle further, and seeking to obtain all the advantage which promotion by merit offers, it seems to us desirable to open every vacancy in the higher grades of offices to the free competition of applicants from all the lower grades of the same

offices. Promotion, indeed, is often thought to be limited to an advance from one step to the next higher. But if promotion by mere seniority be abandoned—if it be understood that any one who is properly qualified to enter at the lowest point may, whenever the vacancy occurs, compete for the highest, not only is the best fitness secured for the highest point, but better men are attracted to enter at the lowest. Should it be objected that if fitness be required in the higher post, the competition should be open to everybody in or out of the service, we reply that the object is not only fitness in the highest post, but fitness everywhere, and that this would be more surely obtained by offering the first chance of promotion to all those who are in the line, and should none be found fitted, then to all who may apply.

If the view that we have presented be correct, that the evils of the Civil Service arise chiefly from the system of appointment upon political partisan considerations, and that they would be greatly remedied by making qualification alone the condition of appointment, it remains to consider whether the rules that we have the honor herewith to submit provide for the exclusion of political influence, and may fairly be expected to produce a real reform. Those rules provide for the competitive examination of all applicants, for the appointment of those found to be best qualified, for entrance at the lowest grade of offices in which grading is practicable, for probation, and for promotion.

As we believe that the country is entitled to the services of any honest and able man who may wish to

serve it, we propose that every person who, after due public notice, shall present himself at the time and place designated for the purpose shall be examined. But he must have satisfactorily proved that he is of good character, of suitable age, and in sound health. He must also be a citizen of the United States and be able satisfactorily to speak, read, and write the English language. Yet from the last two conditions two classes of persons are necessarily excepted. Upon the Pacific coast there must be employed in the post-office Chinese natives who are familiar with their own language and not with ours, and who, under our laws, cannot be naturalized. They are indispensable to the proper service of the department, and they are, therefore, excepted from the rule of citizenship and of knowledge of the English language, and in all similar cases the exception must be made. So, also, in the consular service there are many officers, such as consular agents and sometimes consuls, at points where either the emolument is too insignificant to be desired by any properly qualified American citizen, or where there is no emolument whatever; the only advantage of the office to the incumbent being that of the American protection, which is often of very great value to a native.

If it be thought that if the examination be opened to everybody there will be an inconvenient throng of applicants, it is to be remembered, in the first place, that in no other way can the chance be made equal to all qualified persons; in the second, that the fact of any honest examination whatever will repel multitudes of those who are consciously unqualified; and in the third, that

the knowledge that the examination is to be competitive will reduce the applicants to a practicable number.

If it be further objected that to open the opportunity to all qualified applicants is to give the late enemy of the government the same chance to serve it with the citizen who offered his life in its defence, the reply is that it would be a fatally unwise policy to perpetuate proscription in a reformed civil service. Such a policy would stimulate slander and reward falsehood. It would incite every disappointed applicant and his friends to charge a successful rival with continued hostility to the government, and the Civil Service would become the hot-bed of passions which patriotism and wisdom equally seek to allay. To insist upon such a proscription would be to exclude peremptorily all of the citizens in one part of the country from any position in the Civil Service.

There might be those who would insist that everybody who sympathized with the attempted dissolution of the Union is as morally guilty as those who advised and directed the effort; there might be others who would assert that a certain political party did virtually so sympathize, and that therefore every one who could be proved to support or adhere to that party is an enemy of the government and must be excluded from the public service. This is merely, therefore, another way of reaching the old conclusion that to the victor belong the spoils. It is the reassertion of the very principle which has demoralized the service advanced as an argument for the continuance of the demoralization. To assert that there are capable persons enough for the

offices among those who have always maintained the authority of the government is to beg the question, unless it can be shown that all who resisted its authority or who sympathized with the resistance are still hostile, or that those who resisted should be punished by exclusion from the confidence of the government—a policy which the country has wisely rejected. Yet, lest it should be supposed that the peril of the possible occupation of such positions by those who are actually unfriendly to the government has been disregarded, it will be seen that such a peril is obviated by the regulations, in two ways: firstly, these regulations contemplate only the filling of vacancies as they occur, and therefore, unless those who are considered to be unfriendly to the government should be in all cases proved to be the fittest for the position, which cannot be supposed, a dangerous increase of their number is not to be expected; and secondly, as all appointments are to be made from a small class of the most fitted, it would be within the absolute discretion of the appointing officer to be influenced by his own convictions upon the subject.

The purpose of the examination is to ascertain the fitness of the applicant for the position that he seeks. But a mere pass or standard examination, that is, an examination which requires of an applicant only the ability to pass an easy line and to become one of many from whom the appointment is to be made, is an examination which constantly tends, under the pressure of patronage, to become a mere form, such as many that are now held in custom-houses and elsewhere. If, however, the applicant knows that he must not only pass

the line, but pass it so as to be ranked among the two or three highest of his associates, proficiency alone will determine the result. The most powerful patronage cannot make its candidate really quicker or more intelligent than competitors who may present themselves with no patronage whatever. Its only hope, then, is to corrupt the examiners to permit collusion; and the possibility of collusion is to be obviated by the details of method of examination and certificate. The honest competitive examination is the only fundamental security against the power of mere patronage, because, without regard to irrelevant influences, it selects, not those who are most strongly urged, but those who are most fully qualified.

A competitive examination, indeed, rigidly enforced, results in the selection of one candidate only for appointment. But this question early presented itself: If Congress should create a board of examiners wholly independent of the appointing power, with authority to designate a single person as entitled to appointment, would not the board of examiners, a body wholly unknown to the Constitution, be virtually the appointing power? This point was submitted to the Attorney-general of the United States, who, in the opinion appended to this report, held that the appointing power mentioned in the Constitution necessarily implies the exercise of judgment and will; and that while Congress, in creating offices, could also prescribe the conditions upon which they should be filled, yet that the conditions must be so prescribed as still to leave scope for the exercise of the judgment and will of the appoint-

ing power; and that as the imperative designation of one person by the board in question would destroy that discretion, it is not within the constitutional power of Congress to authorize it, although the appointing power itself is entirely free to adopt such a method at its pleasure. Nor could there be any doubt of the right of Congress to provide for the presentation of a class from whom the appointments should be made, because, within a class or a certain number of persons, there is still room for the exercise of judgment and will.

To evade this objection, it has been suggested that, as the heads of departments are but the agents and advisers of the President, and virtually removable at his pleasure, he could require their assent to the designation of a single person by a board of examiners. But as the heads of departments are officers created by law, and as the Constitution has authorized Congress to vest in them, at its pleasure, the appointment of certain inferior officers, they have, during that pleasure, a constitutional authority which the President cannot rightfully supersede by regulation. He might, indeed, recommend a certain method of exercising that authority, and the recommendation of a President to his Cabinet would be doubtless very effective. If he declared that he proposed to exercise his appointing power in a certain way, it is not impossible that the Cabinet would see great advantages to the public service in that method, and conform to it in the various departments. The President might indeed go further. He might declare a certain method of appointment to be the policy of his administration, and require the heads of departments to

conform; and, without approval of the method, but in order to retain their positions, they might choose to conform. But that would be the deliberate sacrifice of one of the constitutional rights of their offices in order to retain the exercise of the rest. The Constitution has given Congress authority, if it thinks fit, to vest the appointment of all inferior officers mentioned in the President alone. But so long as it prefers to vest the appointment of many of them in the heads of departments, the President cannot properly paralyze that power by intimidation.

We have, therefore, preferred to avoid all questions whatever by providing that the three names standing highest upon the list of excellence in the examination shall be presented to the appointing power, and that from the three the selection of one shall be made for appointment. This reserves the exercise of the judgment and will within all constitutional limits. The open competitive examination will have selected only the three who are most fitted, not who are most pressed; but the consideration which will determine the final choice among the three is left absolutely to the appointing power. If, in the desire to baffle political pressure, it were provided that discretion in appointment from the three should not be controlled by partisan considerations, not only would it be impossible to determine whether it was so controlled or not, but, under the opinion of the attorney-general, the restriction would justly be considered an unconstitutional constraint of the appointing power. If one condition could be imposed, so could another, until the choice might be restricted to

one person. In the method that we provide to baffle political pressure, we do the utmost that the Constitution allows, and reduce that pressure to its lowest point.

It is interesting to know that after we had decided upon this method of selection, not only as unquestionably constitutional, but as preferable to the designation of a single candidate, we heard from the British Civil-service Commission, with which we had been in correspondence and to which we had forwarded the opinion of the attorney-general, that the same question had been considered by them. In the English system, it is provided that when the required number of candidates has been selected by open competition, they shall have the right of selecting, in their order, the appointments which they are to have. It is now, however, suggested that the head of a department in which there are vacancies shall fill them from qualified persons, and that, to secure a reasonable number to choose from, there should be more candidates presented than there are vacancies. It appears probable that this method, which is precisely the one we have adopted, will also be approved in England.

It will be observed, also, that we treat vacancies as single and successive. If we did otherwise it would result that, as a class of three is to be presented for each appointment, there must be, for five vacancies at the same time, five classes of three persons each, making fifteen in all; and supposing the selection to be made of the first in each three, the five appointed would not be the first at the head of the list, but the first, fourth,

seventh, tenth, and thirteenth. But if we treat the appointment to be made to each vacancy as successive, although practically simultaneous, the result would be that the first three names would be offered for the first appointment; the second, third, and fourth for the second; the third, fourth, and fifth for the third, and so on; so that the five vacancies would be filled from the first seven applicants who were found qualified, yet in such a way that the first five would probably receive the appointment.

But, still further to limit and baffle insidious political influence, we propose not only that the appointment shall be made from the few who are proved to be best qualified, but that it shall be made to the lowest grade of any graded group of positions. The prizes for which there is the strongest pressure are often the higher positions in the various departments. But if a vacancy occurs among those, we propose, for the reasons already mentioned, that the first chance of the appointment shall be given to those who are already within the group; and if none are found qualified, that it shall then be filled by the same competitive method as the positions in the lowest grade. Here again patronage would be baffled. For, usually, some person already experienced in the office would prove to be amply qualified for the promotion; while if it were not so, the candidate of patronage would be subjected to the competitive test, which only his superior fitness would satisfy.

A competitive examination in general and special knowledge, however, although it would show certain attainments which are indispensable to the proper dis-

charge of certain duties, would not necessarily prove the faculty of skilfully adapting that knowledge to the public service. It is a common remark that a man could answer all the book questions, as they are called, and yet prove to be an inefficient officer, while one who knew nothing of books might be very serviceable. This may sometimes be true; but there are intelligent persons enough who have also the necessary swift, accurate, and thorough business aptitude. In a general examination this can be little more than inferred; nothing but practice tests this kind of efficiency, and we therefore provide that when an applicant has satisfied all other examinations, his skill in applying his knowledge to the duties of the office shall be proved by a practice of six months, and that he shall be finally appointed only when he has satisfied this test. Probation, indeed, is nothing but the test of those essential qualities of an officer which it is often asserted cannot be ascertained by examination.

There are, however, many officers who must necessarily be excepted from such a rule. Those who are appointed by the President by and with the advice and consent of the Senate are not, after their confirmation by the Senate, removable but by its consent. The rules that the President might adopt to determine the nomination could not bind the Senate, and such cases must, therefore, be excepted. Neither could a system of probation be practicably applied to consuls appointed at foreign ports; and all officers in the foreign service are, therefore, excepted. So with postmasters, a very large number of whom hold their positions rather as a con-

venience to the public than as an advantage to themselves. They are separate and independent, often solitary, officers. There can be no test of their service except the correctness of their accounts with the General Post-office and the satisfaction of those who are served by them. The discharge of the duty must, therefore, be the probation, and if that is unsatisfactory the appointment must be revoked.

If it be asked why this principle is not made universal, the reply is that wherever a stipulated probation is practicable it not only stimulates the incumbent to a more intelligent and efficient discharge of duty, but that it makes his dismissal sure if the results of trial are unsatisfactory. It is a very much easier and simpler process that an unsatisfactory officer should drop from the pay-roll at the end of a certain time without positive action of the appointing power, than that he should be discharged only by a direct order of removal. The candidate upon probation knows that his permanent appointment depends upon himself alone. Any unconditional appointment would of itself be a certificate of fitness. But the probation is part of the examination which determines whether the certificate shall be issued. Should the examination by probation be unsatisfactory, the candidate could no more reasonably insist upon appointment than after failure at any other stage of the examination.

While, however, we provide that the general rule of appointment shall be that of satisfactory examination and probation, and entrance at the lowest grade of any group of officers, there must be a modification for a

class of officers, such as cashiers of collectors of customs, of assistant treasurers, of postmasters, and others, who deal with large sums of money, and for whose fidelity other officers are responsible. Such officers would very naturally decline to assume that responsibility except upon their own personal satisfaction. A person might be found entirely competent for any of the positions mentioned, and his testimonials of character might seem to be unquestionable, but unless he were satisfactory to the officer who is to be held pecuniarily responsible for his conduct, he ought not to be appointed. We therefore provide that in such cases the appointment of those who are found in the prescribed manner to be qualified shall depend upon the approval of the responsible officer.

From the general system of examinations, also, we have excepted postmasters whose annual salary is less than two hundred dollars. The number of postmasters in the United States is about thirty thousand. The annual salary emolument of more than half of these is less than fifty dollars. There are twenty-two thousand who receive less than one hundred dollars, and there is usually little competition for positions which are less than two hundred dollars in annual value. Very many of the small offices are held, as we have already stated, for public convenience, and often at the request of the department. Of such offices there are constant daily resignations and changes. They are often situated at points where there is no other house than the shop or office of the postmaster. Indeed, in such cases there is no choice of any kind for the government. Where

there is no competition, and where the office is not desired, there can, of course, be no competitive examination, and the general rule must therefore be relaxed.

The point at which the rule should be applied is evidently that at which the mischief begins which the rule seeks to remedy; that is to say, the point at which the strife of patronage appears. Personal preferences, upon various grounds, cannot, indeed, be avoided. But in places where the office is of small pecuniary value its position must be determined by such considerations as convenience to the neighborhood, and these are not of a kind to be properly settled by the prescribed examination. But as it is desirable that, in the case of every officer in the Civil Service, there shall be upon record evidence of his fitness, in cases such as those of the smaller post-offices where the general regulation is inapplicable, we propose that the evidence shall consist of the written request of the applicants, with such evidence of character or reference to witnesses as shall satisfy the Postmaster-general. The practical result will often be that, for the smaller offices, for which there is usually no competition, the Postmaster-general will depend very much upon the statements of the representative in Congress from the district in which the office is situated. But in the cases mentioned, the representative is not likely to be influenced by any other consideration than that of the convenience of all his constituents in the neighborhood of the office. If there be no competition for the office, there is no dangerous power of patronage in filling it as we propose.

It has often been suggested that the postmasters

should be elected. We have no authority to propose such a change even if we approved it. But it is a point which has been presented to us in the consideration of the general subject, and there seem to be two serious objections. The first is, that party divisions and organizations are so universal in this country that party spirit, rather than local convenience, would be very likely to decide such a contest; and the second is, that the limits of a post-office constituency are so vaguely defined that it would be difficult to determine who might rightfully vote upon the question. Upon the whole, appointment made upon the recommendation of those who could have no personal motive so powerful as the public convenience, and upon approved evidence of proper character and capacity, seems, in the case of post-offices for which there is little or no competition, to be the preferable method.

Our next inquiry is the independence of the examining board. Can that be protected? All the safeguards of methods of examination are in vain unless the examiners are so far as practicable removed from political coercion. The section of the act of Congress under which we are employed, by authorizing the President to make rules and regulations for admission to the Civil Service and for the conduct of officers, has thrown upon him the responsibility. Congress has not asked or implied that further legislation should be sought by the President, nor are we empowered or requested to submit to it the draft of an act. The question for us to consider is what the President can do under existing laws.

We propose, therefore, that under the section of the act already quoted he shall employ suitable persons to act as an advisory board, which shall regulate and supervise all the examinations mentioned; and that he shall further designate three persons in each department as a board of examiners, who shall conduct the examinations personally or by persons approved by the advisory board and under its immediate supervision. The advisory board, which would be in fact the Civil-Service board, would be as independent as any board, however appointed, could be, and would be constantly in communication with the examiners, and thus informed of their efficiency and fidelity. The examiners would undoubtedly be exposed to solicitation and influence, as all persons in similar positions are. But there is no reason to suppose that they would yield to them more readily than others; for if it be thought that they would be coerced by the threat of influence to procure their own removal, yet, on the other hand, to yield would be to subject themselves to instant removal by the recommendation of the advisory board.

It might be supposed that the examiners would be more independent of improper influences if they were selected from persons not in the public service. Nor are we disposed to deny that this might be an additional security. But our desire is to act within existing laws, and without multiplication of offices. If a system of independent examiners were proposed, it is evident that, with due regard to the character of the Civil Service and to the great extent of the country, there must be a large number of them, and that special appropriations must

be asked for their maintenance. But the cause of reform of the Civil Service would be most seriously prejudiced in the public mind by a proposition to begin with an increase of the offices, however urgently it were pleaded that it was but for the purpose of making all offices more efficient and to save money to the Treasury. And if the beginning of the reform should be delayed until Congress had decided that it was advisable to multiply offices for this purpose, it would certainly be held to be an intentional postponement of reform. Those who earnestly desire it, but who doubt any serious intention of effecting it, would feel their suspicions to be confirmed, and would justly hold the President responsible for not promptly attempting the reform under the authority already conferred and with the resources at his command.

It may be fairly assumed that Congress—which, recognizing the necessity of reform in the Civil Service, at its last session authorized the President to prescribe rules and regulations to promote its efficiency, and which made an appropriation for him to begin the work; having further shown its interest at the opening of the present session by the introduction of bills in both Houses and by the appointment of a committee upon the subject—would not hesitate to aid him in continuing the work so long as no increase of the offices was involved or until it had itself provided by law for promoting greater efficiency in the service. We are unwilling to imperil so necessary and vital a reform by suggestions involving indefinite delay. But meanwhile the advisory board retain, under the President, control of the whole subject.

If the method provided for examination, or any other provision of the rules, should be found upon trial to be inconvenient or abortive, the board would recommend to the President any method or amendment which experience may show to be preferable to those originally provided.

A reform of the Civil Service which contemplates its restoration to higher consideration than it now enjoys will undoubtedly attract to it many who will devote to it the strength of their lives. There seems to be no good reason why those who will thus have performed services not less essential to the general welfare than those of the army or navy should not be honored by the same recognition, and allowed to retire upon pensions graduated by the term and kind of service. There are many civil positions in which special knowledge, skill, fidelity, and experience are as essential as in the military and naval branches of the service. This is recognized in other countries where the Civil Service is made a career or profession. Those who, after a long and faithful discharge of duty, are incapacitated from further activity are held to have deserved well of the State, which does not leave them to die deserted.

Provision for pensions in this country, however, even if it were thought desirable, could be made only by law, not by regulation, and it is, therefore, a subject not within our discretion. But it has been forced upon us by observation. There are some—not many—faithful servants of the country who see with increasing years a decreasing chance of provision for their powerless old age. They have not been able to save from their sala-

ries ; and as they become infirm, no head of a department could remove them without a sense of cruelty which no generous man would endure. With the improvement of the system and the greater permanence of tenure this class of persons will probably increase. Some now procure appointments for a temporary purpose ; but as the service becomes more of a career, its shifting character will be somewhat changed. We propose, therefore, that those who, after long and faithful service, shall be incapacitated by mental or bodily infirmity for the discharge of their duties, may, at the discretion of the head of the department, be appointed to some position of less responsibility, in which they may still be of service.

The prohibition which we recommend of political assessments upon the minor officers of the government requires no explanation or advocacy. In many cases it is, without the knowledge of the appointing power, the price of the office ; in every case it is an intolerable abuse. Yet it is the natural growth of the evil system. If the position be given as a reward of party service performed either by the person appointed or by him who asks the appointment, it is only logical that the spirit of the same bargain should continue. When party supremacy is the first object of the service, every servant must conform to its impositions or retire without complaint. If he is taught that he could not have obtained his place except for the success of his party, and that that success is his tenure, he will not deny the justice of requiring him to pay a tax to keep the party successful. But, under such a system, an officer who will pay an

assessment of six per cent. upon his salary is more serviceable to the party than he who will pay only three. Moreover, the tax is proportioned not only to the nominal salary, but to the supposed receipts of the office, and is thus a direct incentive to unlawful emoluments. Those who pay heavy party taxes out of small salaries are tempted to make up the loss by dishonest gains. Many will pay to command the chances of such gains. Indeed, it is upon this very disposition that dishonest politicians count to secure the activity of those who are taxed.

But we do not believe that the country wishes to see the active management of politics in the hands of men who have a personal pecuniary interest in certain results. We have no wish to suggest that those who are in the Civil Service should not take such interest in politics as their feelings may dictate, but we propose that it shall be upon equal terms with all other citizens. They may be members of political clubs and associations, and pay as they will the taxes which they themselves assess. But all honest men are interested in prohibiting premiums upon dishonesty in politics. And although in the system that we propose, which contemplates fitness, and not political opinion, as the condition of admission to the service, this kind of political taxation will naturally disappear, yet an imperative rule forbidding at once this injurious practice will be both an earnest of the spirit of the reformed system and in itself an immediate and inspiring reform.

It will be observed that no express provision is made in the rules for the examination of persons who are

already in the service. But this has seemed to us unnecessary. It will be wholly within the discretion of the appointing power to require any person now in the service to be examined should there be any reason to doubt his competency. Yet, for considerations already stated, we have not intended to prescribe a method of removal; for as the rules seek to destroy all illegitimate motives for its exercise, the power of removal, which in our judgment is essential to the highest efficiency of the service, is left untouched.

The officers who are excepted from the general provisions of the rules are certain high officers of State, who are properly political, as distinguished from merely administrative officers; professional officers, whose careers are a constant examination, and who have already passed actual technical examinations in their professions; certain officers of a peculiar responsibility, and boards of visitors and examiners, whose positions are honorary or whose emoluments are nominal. A general election, as we have already remarked, is the declaration of the popular will upon the general policy of government. The people select as candidates those who are satisfactory representatives of the differing policies, and the successful candidate properly surrounds himself in his cabinet with heads of departments who sympathize with the policy he represents and who will assist him in its development. It may be difficult to determine precisely the limits of the offices which in this sense may be called political. But we do not think that we have extended those limits beyond general approval, or so far as to impair the efficiency of the system that we propose.

In submitting these suggestions with the rules which we have framed, we feel that it is not so much we who do it as the intelligent public opinion of the country. There has long been a profound conviction that the system of appointments to the Civil Service upon political considerations only is one which reason and experience equally show to be fatal to economy of administration and to republican institutions. "All I claim upon the subject of your resources," said Edmund Burke, a century ago, pleading for reform in England, "is this, that they are not likely to be increased by wasting them." But our system of the Civil Service courts waste. It violates the fundamental principles of thrift and economy; it fosters personal and political corruption; it paralyzes legislative honor and vigilance; it weakens and degrades official conduct; it tempts dangerous ambition; and, by poisoning the springs of moral action, it vitiates the character of the people and endangers the national prosperity and permanence.

We would not exaggerate the importance of the peril; but the constant exposure of official dishonesty, the vast system of political corruption, the disclosure of which has produced a peaceful revolution in the city of New York, should suggest to every good citizen the possibility of a similar revolution which might not be peaceful. If, by that great and organized corruption, it had been possible—and such a contingency is not improbable—to decide a Presidential election, and in a manner universally believed to be fraudulent, the consequences would probably have been civil war. If such corruption is not stayed, the result is only postponed; and nothing so

surely fosters it as the system which makes the Civil Service a party prize and convulses the country every four years with a desperate strife for office.

We do not, indeed, suppose that the adoption of any rules, however skilfully framed, would at once remedy the evils in the Civil Service which are universally acknowledged; and experience will doubtless show how every method of reform may be improved. But those evils will certainly not be remedied without an effort. Those who are content to demand Civil-Service reform, but who oppose every practical attempt to promote it, must be suspected of having little real hostility to the system which they decry. Fortunately, however, public attention was never more resolutely turned to the subject, and there was never a more favorable moment to begin the reform. The party issues of the last few years are gradually disappearing. The perilous questions of fundamental policy have been determined, and the paramount interests of the country are now those of administration. Honesty and efficiency of administration of the settled national policy will now be the chief demand of every party. But nowhere can that purpose be shown so plainly as in the reformation of the Civil Service so as to secure integrity, efficiency, and economy.

A similar reform has been made elsewhere and has succeeded. In a speech delivered at Greenwich, in England, on the 28th of October of this year, the prime minister, Mr. Gladstone, in reviewing the results of his administration, said: "It has been our happy lot, in almost every department of the State—I believe there are but two exceptions—to give up that which has always

been considered the special patronage and the highly prized patronage of a government, namely, the appointment of clerks to the civil offices of the country. We have abandoned that power; we have thrown every one of them open to public competition. The transition is now nearly complete, and, with regard to the future, I can say that, as to the clerkships in my own office—the office of the Treasury—every one of you has just as much power over their disposal as I have.” And at the close of the same speech, recurring to the subject, Mr. Gladstone said: “And in order that the public service might be, indeed, the public service; in order that we might not have among the civil officers of the State that which we had complained of in the army, namely, that the service was not the property of the nation, but of the officers, we have now been enabled to remove the barriers of nomination, patronage, jobbing, favoritism in whatever form; and every man belonging to the people of England, if he so pleases to fit his children for the position of competing for places in the public service, may do it entirely irrespective of the question what is his condition in life, or the amount of means with which he may happen to be or not to be blessed.”

We propose also that in this country the places in the public service shall be restored to those who are found to be fitted for them; and if any one is disposed to think that an abuse of forty years is a law of the republican system, a little reflection will show him his error. If he believes a reform to be impossible, he merely shows that he is the victim of the abuse, and forgets that in America every reform is possible.

The enforcement of the rules that we submit for approval depends, of course, upon the pleasure of the President. Yet, should they receive the sanction of Congress in the form of law, their enforcement would become, until repealed, not only the pleasure, but the duty of the President. That sanction, whether to the rules now submitted or to any scheme which shall more surely promote the purity and efficiency of the Civil Service, the country most earnestly desires. If that sanction should be delayed, the rules adopted for his action by the President could not bind his successor. But unless we are wholly mistaken, the reform would so vindicate itself to the good sense of the country that the people themselves would reject any party and any candidate that proposed to relapse into the present practice. The improvement of the Civil Service is emphatically the people's cause, the people's reform, and the administration which vigorously begins it will acquire a glory only less than that of the salvation of a free Union.

GEORGE WILLIAM CURTIS.

ALEXANDER G. CATTELL.

JOSEPH MEDILL.

DAWSON A. WALKER.

E. B. ELLIOTT.

JOSEPH H. BLACKFAN.

DAVID C. COX.

WASHINGTON, D. C., *December 18, 1871.*

RULES AND REGULATIONS FOR THE CIVIL SERVICE

1st. No person shall be admitted to any position in the Civil Service within the appointment of the President or the heads of departments who is not a citizen of the United States; who shall not have furnished satisfactory evidence in regard to character, health, and age; and who shall not have passed a satisfactory examination in speaking, reading, and writing the English language.

2d. An advisory board of suitable persons to be employed by the President under the 9th section of the act of March 3, 1871, entitled, *An act making appropriations for sundry civil expenses of the government for the fiscal year ending June thirty, eighteen hundred and seventy-two, and for other purposes*, shall, so far as practicable, group the positions in each branch of the Civil Service according to the character of the duties to be performed, and shall grade each group from lowest to highest for the purpose of promotion within the group. Admission to the Civil Service shall always be to the lowest grade of any group; and to such positions as cannot be grouped or graded admission shall be determined as provided for the lowest grade.

3d. A vacancy occurring in the lowest grade of any group of offices shall be filled, after due public notice, from all applicants who shall present themselves, and who shall have furnished the evidence and satisfied the preliminary examination already mentioned, and who shall have passed a public competitive examination to test knowledge, ability, and special qualifications for the performance of the duties of the office. The board conducting such competitive examination shall prepare, under the supervision of the advisory board, a list of the names of the applicants, in the order of their excellence, as proved by such examination, beginning with the highest; and shall then certify to the nominating or appointing power, as the case may be, the names standing at the head of such list, not exceeding three; and from the names thus certified the appointment shall be made.

4th. A vacancy occurring in any grade of a group of offices, above the lowest, shall be filled by a competitive examination of applicants from the other grades of that group, and the list of names from which the appointment is to be made shall be prepared and certified as provided in the preceding rule; but if no such applicants are found competent, the appointment shall be made upon an examination of all applicants, conducted in accordance with the provisions for admission to the lowest grade.

5th. Applicants certified as otherwise qualified for appointment as cashiers of collectors of customs, cashiers of assistant treasurers, cashiers of postmasters, superintendents of money-order divisions in post-offices, and

such other custodians of large sums of money as may hereafter be designated by the advisory board, and for whose pecuniary fidelity another officer is responsible, shall, nevertheless, not be appointed except with the approval of such other officer.

6th. Postmasters whose annual salary is less than two hundred dollars may be appointed upon the written request of applicants, with such evidence of character and fitness as shall be satisfactory to the head of the department.

7th. The appointment of all persons entering the Civil Service in accordance with these regulations, excepting persons appointed by the President, by and with the advice and consent of the Senate, postmasters, and persons appointed to any position in a foreign country, shall be made for a probationary term of six months, during which the conduct and capacity of such persons shall be tested; and if, at the end of said probationary term, satisfactory proofs of their fitness shall have been furnished by the board of examiners to the head of the department in which they shall have been employed during said term, they shall be reappointed.

8th. The President will designate three persons in each department of the public service to serve as a board of examiners, which, under the supervision of the advisory board, and under regulations to be prescribed by it, and at such times and places as it may determine, shall conduct personally, or by persons approved by the advisory board, all investigations and examinations for admission into said departments, or for promotion therein.

9th. Any person who, after long and faithful service in a department, shall be incapacitated by mental or bodily infirmity for the efficient discharge of the duties of his position, may be appointed by the head of the department, at his discretion, to a position of less responsibility in the same department.

10th. Nothing in these rules shall prevent the appointment of aliens to positions in the consular service which, by reason of small compensation or of other sufficient cause, are in the judgment of the appointing power necessarily so filled; nor the appointment of such persons within the United States as are indispensable to a proper discharge of the duties of certain positions, but who may not be familiar with the English language or legally capable of naturalization.

11th. No head of a department, nor any subordinate officer of the government, shall as such officer authorize or permit or assist in levying any assessment of money, for political purposes, under the form of voluntary contributions or otherwise, upon any person employed under his control, nor shall any such person pay any money so assessed.

12th. The advisory board shall at any time recommend to the President such changes in these rules as it may consider necessary to secure the greater efficiency of the Civil Service.

13th. From these rules are excepted the heads of departments, assistant secretaries of departments, assistant attorneys-general and first assistant postmaster-general, solicitor-general, solicitor of the Treasury, naval solicitor, solicitor of internal revenue, examiner of claims

in the State Department, treasurer of the United States, register of the Treasury, first and second comptrollers of the Treasury, judges of the United States courts, district attorneys, private secretary of the President, ambassadors and other public ministers, superintendent of the coast survey, director of the Mint, governors of territories, special commissioners, special counsel, visiting and examining boards, persons appointed to positions without compensation for services, despatch agents, and bearers of despatches.

III

REPORT OF THE ADVISORY BOARD OF THE
CIVIL SERVICE

MADE TO THE PRESIDENT, APRIL 11, 1872

EXECUTIVE ORDER

WASHINGTON, *April 16, 1872.*

The advisory board of the Civil Service, having completed the grouping contemplated by the rules already adopted, have recommended certain provisions for carrying the rules into effect.

The recommendations, as herewith published, are approved, and the provisions will be enforced as rapidly as the proper arrangements can be made, and the thirteenth of the rules adopted on the nineteenth day of December last is amended to read as published herewith.

The utmost fidelity and diligence will be expected of all officers in every branch of the public service. Political assessments, as they are called, have been forbidden within the various departments; and while the right of all persons in official position to take part in politics is acknowledged, and the elective franchise is recognized as a high trust to be discharged by all entitled to its exercise, whether in the employment of the government or in private life, honesty and efficiency, not political activity, will determine the tenure of office.

U. S. GRANT.

By the President :

HAMILTON FISH,

Secretary of State.

REPORT OF THE ADVISORY BOARD OF THE CIVIL SERVICE

To the President :

Having been designated by you as an advisory board under the rules and regulations for the improvement of the Civil Service adopted on the 19th of December, 1871, we beg leave respectfully to submit the following report :

The rules assume that the efficiency of the Civil Service will be promoted by a more careful inquiry into the character and qualifications of those who are to be appointed to office. The report which accompanies the rules states strongly the conviction that there has long been a practice, which has acquired almost the force of an unwritten law, of appointing persons to the minor offices of the government because of what is called political service rather than of proved qualification. The evils and the perils of this practice are recognized and deplored by the country, and have often been forcibly stated in both houses of Congress.

But a practice which has so long prevailed, which is believed by many good citizens to be indispensable to government by party, and which is ably defended by honest advocates, cannot suddenly or easily be changed.

Undoubtedly, the Executive has authority to inquire, whether by examination or otherwise, into the fitness of those whom it is proposed to appoint to office. But the pressure to baffle the inquiry, or to direct it from a legitimate direction, is often almost irresistible. It is well known that the appointing power is constantly beset by influences which seek personal ends rather than the character and efficiency of the service, and which, in many and familiar ways, necessarily embarrass its action. The rules adopted by the President we therefore understand to be designed to protect the constitutional independence of the appointing power, and to assist it in ascertaining the honesty and qualifications of those who are to be appointed to office. They are, of course, tentative, not final. They are not inflexible laws, but regulations to be modified as reflection and experience may suggest, and the object of which is the release of the service from its acknowledged evils. Indeed, we are convinced, as the report accompanying the rules suggests, that an improved system of the Civil Service will be gradually developed, and only by experiment. We therefore believe that the public sentiment which demands reform in the service would be more satisfied with a limited but effective application of the rules which have been adopted than by an inadequate effort at universal application, the failure of which would only postpone the proposed improvement of the service. The first great point in that improvement will have been gained when it is seen that measures are taken to fulfil the Executive purpose of appointing to office only honest and qualified per-

sons, and of removing them only for dishonesty or inefficiency, or for other legitimate cause.

The report of the 18th of December states that it is difficult to distinguish precisely the line that separates the offices which may be called administrative from those which are political. We may add that it is not easy to determine precisely in what cases the general method of appointment by open competitive examination should be modified. We do not understand the report to maintain that an examination, whether competitive or other, is a remedy for all the admitted evils of the existing system of the Civil Service. It is not urged nor supposed that a competitive examination will always designate the best person for appointment. But, as the report suggests, since the appointing power cannot personally know the great multitude of those who are pressed for appointment to the inferior offices, it is, upon the whole, wiser to depend upon the results of an examination than upon the representations of those who must often be suspected of personal interest in the appointment. Indeed, we repeat, with entire approval, the statement of the report:

“If, by examination for admission to the Civil Service, nothing were understood but a test of mere literary proficiency, it might be reasonably opposed as unsatisfactory. For it is unquestionable that a man might be an excellent appraiser of linen and yet know nothing of history or of accounts. But, on the other hand, it is equally undeniable that an excellent appraiser of linen is not the less excellent because of general intelligence. Of two good accountants, the one who

has the most general knowledge is certainly preferable; and a country which declares that, where technical skill is equal, it will select the candidate for its service who is the better educated, is a country which directly and practically encourages intelligence and morality. It is true that very distinguished men in the public service might not have passed a certain literary examination which is now required of younger men entering the same service. But it is equally true that the older men could have passed the examination had it in their case been required. And the proof is the capacity of which their present distinction is the evidence."

It is, however, evident that there are many positions, such as the collectorships of large ports and the more important consulates, which demand an administrative capacity that cannot well be determined by any merely technical examination. The qualities that fit a man to fill properly such a position are shown in his whole career, and are necessarily familiar to those who know him. Like the qualifications of a judge, they must have been proved by experience. Great executive and administrative faculty, like the judicial mind, will not be discovered by an arbitrary examination. In such cases we believe that special fitness will be more satisfactorily ascertained by investigation and by general report than by competitive examination. And our recommendations are in accordance with this conviction.

We are fully aware that an effort to improve the service by diminishing the mischief arising from a system of appointment by patronage merely, must be made with due regard to the actual situation. We do not for-

get that the Civil Service of the United States differs essentially from that of other countries, not only in the large number of officers employed, but in their diffusion over an immense territory often very thinly peopled, and accessible at many points only with great difficulty and delay. Moreover, the uncertainty of an appropriation by Congress has constrained us to limit, in the beginning, the application of the rules. It has, indeed, been our desire, in accordance with the suggestions of the report accompanying the message of the 19th of December, 1871, not to attempt the improvement of the service by proposing to increase the number of offices. Yet it is evident that the investigations and examinations contemplated by the rules would require very great attention from those persons already in the service who might be designated to conduct them, and that consequently, without special compensation for the extra time and labor that would be required, but little could be expected beyond a formal compliance with the rules. The range of the examinations also must necessarily be somewhat limited by the grade of the examiners. It is not desirable, for instance, that those of a lower grade should examine candidates for a higher.

There are other obvious considerations which, under the actual circumstances, suggest certain modifications in the application of the rules. Thus, if we depend upon the existing resources of the service, it must be remembered that the Department of State, which has charge of the foreign appointments, has no system of officers extended through the country like the post-

office, and therefore that competitive examinations for consulates could not be held in the various States, except by depending upon voluntary assistance, which we do not recommend. On the other hand, while the service of the post-office department includes the largest number of persons and is the most universally distributed of all, yet it is of such character, depending so much upon local considerations, and vacancies occur in it so constantly, that with the resources at command a rigid application of the rules is evidently no less impracticable.

It is in view of these and similar considerations that we have framed the accompanying regulations, which we have the honor to recommend for approval and for immediate application. They limit and modify the operation of the rules already adopted only so far as, under existing circumstances, the welfare of the service seems to us to require, and as they are carried into effect they will, of course, render inoperative the fourteenth rule adopted on the 10th of January, 1872, which was temporary in its application, and is in these words:

“Pending the completion of the methods of investigation and examination contemplated by these rules, nothing in them shall prevent the appointment, designation, or employment without examination, except as already provided by law, of persons temporarily to fill vacancies, when it shall appear that the necessities of the public service demand that such vacancies be immediately filled; but such appointments (except when made by and with the advice and consent of the Senate), designations, or employments shall terminate as soon as the details of investigation and examination for

filling such vacancies have been completed by the advisory board."

The reasons for most of the regulations that we submit are obvious. Thus, when the number of applicants for any position of minor importance is so great that the examination of all is evidently impracticable, there must be discretion to select a practicable number; and this will be the less invidious as the great pressure of applications will always be for positions requiring qualifications which very large numbers of persons may be assumed to possess, and from these, in the case that we suppose, a number of the best can always be selected for examination large enough to secure freedom from the pressure of individual influence.

It is desirable, also, that every part of the country should have an equal chance in the competition for appointments in the executive offices at Washington, in order that such positions may not be filled exclusively from the neighborhood of the capital, and, therefore, it is recommended that the advisory board may direct when examinations shall be held for such appointments in the various States.

Again, when the term of an office is fixed by law, it is evident, if the incumbent has discharged his duty efficiently and his reappointment should seem to be desirable, that there is no good reason that he should not be reappointed at discretion. His official service has been both an examination and a probation. It would be unreasonable to subject him to another examination, which, if successful, would end in his entrance upon a probation to show qualities which he has already

proved ; and which, if unsuccessful, certainly could not be held to prove him unfitted for duties which he has already efficiently discharged. It is, indeed, the present practice, when a post-office becomes what is called presidential, to reappoint the incumbent, unless there be good grounds for a change, and for the obvious reason that an officer should not be removed because of an increase in the value of his office, which may be largely due to his own efficiency. We therefore recommend that, when the term of an officer expires by the limitation fixed by law, the incumbent may be reappointed at pleasure.

The report accompanying the rules deprecates perpetual proscription of those persons who have been enemies of the Government of the United States, and even in arms against it. It declares that the mere fact of such hostility during the late rebellion ought not to disqualify those who have honestly and honorably acquiesced in the result of the war. But while this is true, it is no less unquestionable that no person should be admitted to the Civil Service in any part of the country who is not sincerely friendly to the Union and the Constitution of the United States. And as the views upon this subject expressed in the original report do not seem to have been properly understood, we recommend, to avoid all possible misapprehension, that no person shall be appointed to any position in the service who shall not have furnished satisfactory evidence of his fidelity to the Union and the Constitution.

For the purpose of applying the rules to the customs service we have selected the principal customs districts

in which the great bulk of the foreign imports are received, and which include the mass of persons employed in that service. The administrative capacity which is indispensable to the proper discharge of the duties of the two or three chief offices of such custom-houses cannot, in our judgment, be satisfactorily ascertained by a technical competitive examination; nor in a civil service which rests upon an unsound principle of appointment can the peculiar qualifications for positions of such character and responsibility be presumed necessarily to exist among those already in the service. Yet, as the system develops of appointments to the lower grades of office upon proved fitness only, it is fair to expect that the proper incumbents of the highest administrative positions will be often found within the service. That the service, therefore, may not hereafter suffer from any doubtful practice that may have hitherto prevailed, we recommend that the Secretary of the Treasury shall ascertain if there be suitable and available persons already in the customs service within the district in which such a chief vacancy occurs, and, if such persons are found, that the appointment shall be made from them; but if they are not found, it may be made at discretion. All the other officers in these districts, excepting those who may be distinctively called laborers, will be subject to the examinations prescribed by the rules. In the minor customs districts, which are scattered from Sitka, in Alaska, all along the ocean coasts and inlets and lakes and the interior northern boundary of the country, we recommend that, for the present, when a vacancy occurs in the chief office it

shall be filled from the certified list of suitable and qualified subordinates; and if no such appear, then from all other applicants.

A similar method to that recommended for appointment to the chief offices in certain customs districts is suggested for the office of postmaster in cities having, according to the census of 1870, a population of twenty thousand or more. This will include sixty-six post-offices. If any subordinate is found to be a suitable person, he will be appointed, otherwise a nomination will be made at discretion. All the other grouped positions in such post-offices will be filled, as in the custom-houses, in accordance with the rules. Vacancies which occur in the office of postmaster in post-offices not included among the sixty-six, or in offices where the postmaster's annual salary is less than \$200, will be filled in a manner similar to that proposed for the chief offices in the minor customs districts.

There seems to be no good reason that the general practice of appointing to the various national offices in the States citizens of the State in which the vacancy occurs should not be extended to the territories, except in the case of certain judicial positions, and of Indian agencies which are now filled in a satisfactory manner. We recommend, therefore, that appointments in the several territories of the United States, with certain exceptions, shall be made from qualified persons already domiciled in the territory, should such be found, who have a local interest and knowledge which cannot be assumed in the case of non-residents.

The conditions of the consular service are such that

consuls cannot practically be grouped or graded. They cannot be appointed upon probation, nor is it practicable that they should be examined for promotion. Moreover, the Department of State, as has been remarked, has no system of officers distributed through the country, and, therefore, examinations for appointment to the consular service could not be held in the various States except by depending upon volunteer assistance. We therefore recommend that vacancies in the consular service, if the lawful annual compensation of the office is \$3000 or more, shall be filled at the discretion of the Executive, either by the transfer of some person already in the service or by a new appointment. If, however, the value of the office is more than \$1000 and less than \$3000, application shall be made in writing to the Secretary of State, and he will require the applicant who, upon investigation, appears to be most suitable and qualified to attend for examination, and for appointment should the examination be satisfactory.

We recommend also that personal solicitation for appointment shall be prohibited. The time and the attention of the President and the heads of departments are justly expected to be devoted to the service of all the people, and cannot be consumed by individual importunity without injury to the interests of all. The mischief of this practice is notorious. The necessity of seeing an applicant, or of consulting with any of his friends, should be determined by the appointing power, and not by the applicant or his advocates. The rigid enforcement of the rule which we recommend we be-

lieve would very greatly relieve much of the embarrassment to which the Executive and the heads of departments are now subjected.

We have given the most careful consideration to the grouping required by the rules, upon which the promotion that they contemplate depends.

The law of 1853 grades the clerks in the Executive departments at Washington by the amount of their salaries, and in those offices we have therefore observed the same classification, making in each bureau a group of the four classes of clerks, with the chief clerk of the bureau as the highest grade. In the Interior Department, which includes the General Land Office, the Patent Office, the Office of Indian Affairs, the Pension Office, the Census Office, and the Bureau of Education, there is the same general grouping, including certain officers, specified by name, such as superintendent of documents in the Secretary's Office, recorder and director, principal clerk of surveys of public lands, and principal clerk of private land-claims in the General Land Office, and the examiners, who of themselves form a group in the Patent Office, of which the highest grade is the principal examiners, and the lowest the examiners' clerks. The various industries represented in the Patent Office have also been classified for the convenience of the examinations. This grouping brings the great mass of the officers in the various executive departments at Washington under the operation of the rules.

In the custom-houses we propose to group the collectors' and surveyors' offices together, because under the revenue laws these offices are intimately connected.

The surveyor has immediate charge of the out-door service, but the validity of his acts depends upon the approval of the collector. (Act March 2, 1799.) The collector nominates weighers, gaugers, inspectors, and night-inspectors, while the actual nominations of the surveyor, even at the port of New York, are very few in number. Moreover, it seems to us that the position of weigher should be open to the competition of all the clerks in the collector's office, as the salary is much larger than the average salary of the clerkships. The inspectors are among the most important of the customs officers. Their varied duties are a practical education in every branch of the service, and it has been constantly observed that, when promoted to a clerkship, the practical experience of the inspector gives him a marked advantage.

We are aware that the arbitrary and unsystematic scale of salaries in the customs service must render any system of grouping somewhat unsatisfactory. Except for the fact of difference of salary the deputy surveyors, who receive five hundred dollars less than the deputy collectors, would be placed in the same grade. The naval office is separately grouped, because it is independent of the collector's office. It is co-ordinate and, so far as its functions extend, supervisory. Besides this, the clerks in the naval office who test and determine the work of corresponding clerks in the collector's office receive smaller salaries; and this fact alone would embarrass a consolidation of the two groups. The appraiser's office is also independent, and is therefore separately grouped. The duties of this

office naturally tend to a subdivision into specialties, which must somewhat perplex competition within the group. But it is a difficulty which no regulation could remove.

In the offices of collector and surveyor, therefore, we propose two groups. The first has the deputy collectors as the highest grade; in the next lower grade are the deputy surveyors, weighers, and clerks whose annual salary is \$2500 or more; in the next, gaugers and clerks whose annual salary is \$2000 or more, but less than \$2500; then clerks from \$1800 to \$2000; then clerks from \$1600 to \$1800; then inspectors and clerks from \$1200 to \$1600. The second group consists of night-inspectors and clerks whose annual salary is less than \$1200.

In the office of the appraiser the highest grade of the first group is the assistant appraisers, and the lowest grade examiners who receive a salary of \$1600 or more, but less than \$1800. The second group consists of verifiers and samplers as the highest grade, and openers and packers as the lowest. And the third group is one of clerks graded by salaries.

In the internal-revenue service the different officers in each district are grouped separately, grading in each group being impracticable except in the case of assessors and assistant assessors.

In the assistant treasury at New York we propose three groups, of which the first includes the deputy assistant treasurer as the highest grade, and officers whose annual salary is \$2000 or more, but less than \$2500, as the lowest. The second group includes as the highest

grade officers whose annual salary is \$1800 or more, but less than \$2000; and as the lowest those whose annual salary is \$1200 or more, but less than \$1400. The third group comprises clerks whose annual salary is less than \$1200. From this arrangement it results that the officer who enters at the lowest grade of the first group, and who receives a salary of more than \$2000, is in the first line of promotion to the deputy assistant treasurer-ship. In the various other assistant treasuries the first group includes in their order all officers subordinate to the assistant treasurer or depositary whose salaries are not less than \$1200; the second group includes all other clerks, and the third includes the female counters.

In the postal service we propose for the positions which are not included in the arrangements made for the general post-office at Washington, three groups for every local post-office, of one of which the postmaster is the highest grade, and clerks whose annual salary is \$1200 or more, but less than \$1400, the lowest; another group, consisting of clerks whose salary is less than \$1200; and another of letter-carriers. The other postal service is distributed into three groups: first, special agents; second, head clerks in railway post-offices, other clerks, route-agents, and local agents; third, mail-route messengers. Applications for these positions, except in the case of special agents, will be limited to the districts in which the service is to be performed.

The grouping which we propose is that which, in the language of the rule, is practicable under existing laws. It will be observed, for instance, that the consulates are

not included, and for the reason that in the case of the consulates the emolument which usually determines gradation is not a satisfactory basis for grouping and grading. A consular post of a certain salary will often, from local or sanitary or economical considerations, be really more desirable than one of larger compensation. The consulates, therefore, will be separately treated.

We beg to repeat, in conclusion, that the regulations which we have the honor to recommend are experimental; and we shall not hesitate, in obedience to the rule, to suggest any change or modification of them which may prove to be desirable. As the enforcement of any rules depends wholly upon the pleasure of the President, their efficacy will be determined by the Executive purpose—a purpose which has been urgently declared, for which the support of Congress has been asked, and which will be heartily sustained by every good citizen.

GEORGE WILLIAM CURTIS.

ALEXANDER G. CATTELL.

JOSEPH MEDILL.

DAWSON A. WALKER.

E. B. ELLIOTT.

JOSEPH H. BLACKFAN.

DAVID C. COX.

WASHINGTON, D. C., *April* 11, 1872.

REGULATIONS

1. No person will be appointed to any position in the Civil Service who shall not have furnished satisfactory evidence of his fidelity to the Union and the Constitution of the United States.

2. The evidence in regard to character, health, age, and knowledge of the English language required by the first rule shall be furnished in writing, and if such evidence shall be satisfactory to the board of examiners, or to the person or persons designated by them to conduct the examination, the applicant shall be notified when and where to appear for examination; but when the applicants are so numerous that the examination of all whose preliminary papers are satisfactory is plainly impracticable, the board shall select for examination a practicable number of those who are apparently best qualified.

3. Examinations to fill vacancies in any of the executive departments in Washington shall be held not only at the city of Washington, but also, when directed by the advisory board, in the several States, either at the capital or other convenient place.

4. The appointment of persons to be employed exclusively in the secret service of the government; also of

persons to fill vacancies in clerkships in either of the executive departments at Washington, who are to be employed as translators, stenographers, or private secretaries, or who may be designated for secret service, may be excepted from the operation of the rules.

5. The heads of bureaus in the executive departments at Washington, except such as are excepted by name, shall be nominated by the President, or appointed by the head of the department as the case may be, from persons within the department, who, in the judgment of the head of the department, are suitable and qualified for the position; but if no such person shall be found within the department, the appointment may be made at discretion.

6. When a vacancy occurs in a consular office, of which the lawful annual compensation is three thousand dollars or more, it will be filled at the discretion of the President, either by the transfer of some person already in the service or by a new appointment, which may be excepted from the operation of the rules. But if the vacancy occur in an office of which the lawful annual compensation, by salary or by fees ascertained by the last official returns, is more than one thousand dollars and less than three thousand dollars, and it is not filled by transfer, applications will be addressed to the Secretary of State, enclosing proper certificates of character, responsibility, and capacity, and the secretary will notify the applicant who, upon investigation, appears to be most suitable and competent to attend for examination; and if he shall be found qualified, he will be nominated for confirmation; but if not found

qualified, or if his nomination be not confirmed by the Senate, the secretary will proceed in like manner with the other applicants who appear to him to be qualified. If, however, no applicants under this regulation shall be found suitable and qualified, the vacancy will be filled at discretion. The appointment of commercial agents and of consuls whose annual compensation is one thousand dollars or less (if derived from fees, the amount to be ascertained by the last official returns), of vice-consuls, deputy consuls, and of consular agents and other officers who are appointed upon the nomination of the principal officer, and for whom he is responsible upon his official bond, may be, until otherwise ordered, excepted from the operation of the rules.

7. When a vacancy occurs in the office of collector of the customs, naval officer, appraiser, or surveyor of the customs, in the customs districts of New York, Boston and Charlestown, Baltimore, San Francisco, New Orleans, Philadelphia, Vermont (Burlington), Oswego, Niagara, Buffalo Creek, Champlain, Portland and Falmouth, Corpus Christi, Oswegatchie, Mobile, Brazos de Santiago, Brownsville, Texas (Galveston, etc.), Savannah, Charleston, Chicago, or Detroit, the Secretary of the Treasury shall ascertain if any of the subordinates in the customs district in which such vacancy occurs are suitable persons qualified to discharge efficiently the duties of the office to be filled, and, if such persons be found, he shall certify to the President the name or names of those subordinates, not exceeding three, who, in his judgment, are best qualified for the position, from which the President will make the nomi-

nation to fill the vacancy. But if no such subordinate be found qualified, or if the nomination be not confirmed, the nomination will be made at the discretion of the President. Vacancies occurring in such positions in the customs service in the said districts as are included in the subjoined classification * will be filled in accordance with the rules. Appointments to all other positions in the customs service in said districts may be, until otherwise ordered, excepted from the operation of the rules.

8. When a vacancy occurs in the office of collector, appraiser, surveyor, or other chief officer in any customs district not specified in the preceding regulation, applications in writing from any subordinate or subordinates in the customs service of the district, or from other person or persons residing within the said district, may be addressed to the Secretary of the Treasury, enclosing proper certificates of character, responsibility, and capacity; and if any of the subordinates so applying shall be found suitable and qualified, the name or names, not exceeding three, of the best qualified shall be certified by the board of examiners to the secretary, and from this list the nomination or appointment will be made. But if no such subordinate be found qualified, the said board shall certify to the secretary the name or names, not exceeding three, of the best qualified among the other applicants, and from this list the nomination or appointment will be made. If, however, no applicants under this regulation shall be found suitable and quali-

* The classifications referred to here and elsewhere are not here reprinted.—ED.

fied, the vacancy will be filled at discretion. Appointments to all other positions in the customs service in said districts may be, until otherwise ordered, excepted from the operation of the rules.

9. When a vacancy occurs in the office of postmaster in cities having, according to the census of 1870, a population of twenty thousand or more, the Postmaster-general shall ascertain if any of the subordinates in such office are suitable persons qualified to discharge efficiently the duties of postmaster, and, if such are found, he shall certify to the President the name or names of those subordinates, not exceeding three in number, who, in his judgment, are best qualified for the position, from which list the President will make the nomination to fill the vacancy. But if no such subordinate be found so qualified, or if the nomination be not confirmed by the Senate, the nomination will be made at the discretion of the President. Vacancies occurring in such positions in the said post-offices as are included in the subjoined classification will be filled in accordance with the rules. Appointments to all other positions in the said post-offices may be, until otherwise ordered, excepted from the operation of the rules.

10. When a vacancy occurs in the office of postmaster, of a class not otherwise provided for, applications for the position from any subordinate or subordinates in the office, or from other persons residing within the delivery of the office, may be addressed to the Postmaster-general, enclosing proper certificates of character, responsibility, and capacity; and if any of the subordinates so applying shall be found suitable and

qualified, the name or names of the best qualified, not exceeding three, shall be certified by the board of examiners to the Postmaster-general, and from them the nomination or appointment shall be made. But if no subordinate be found qualified, the said board shall certify to the Postmaster-general the name or names, not exceeding three, of the best qualified among the other applicants, and from them the nomination or appointment shall be made. If, however, no applicants under this regulation shall be found suitable and qualified, the vacancy will be filled at discretion. Appointments to all other positions in the said post-offices may be, until otherwise ordered, excepted from the operation of the rules.

11. Special agents of the Post-office Department shall be appointed by the Postmaster-general at discretion from persons already in the postal service, and who shall have served therein for a period of not less than one year immediately preceding the appointment. But if no person within the service shall, in the judgment of the Postmaster-general, be suitable and qualified, the appointment shall be made from all applicants under the rules.

12. Mail-route messengers shall be appointed in the manner provided for the appointment of postmasters whose annual salary is less than two hundred dollars.

13. When a vacancy occurs in the office of register or receiver of the land-office, or of pension agent, applications in writing from residents in the district in which the vacancy occurs may be addressed to the Secretary of the Interior, enclosing proper certificates of character,

responsibility, and capacity; and if any of the applicants shall be found suitable and qualified, the name or names, not exceeding three, of the best qualified, shall be certified by the board of examiners to the secretary, and from this list the nomination will be made. If, however, no applicants under this regulation shall be found suitable and qualified, the nomination will be made at discretion.

14. When a vacancy occurs in the office of United States marshal, applications in writing from residents in the district in which the vacancy occurs may be addressed to the Attorney-general of the United States, enclosing proper certificates of character, responsibility, and capacity; and if any of the applicants shall be found suitable and qualified, the name or names, not exceeding three, of the best qualified shall be certified by the board of examiners to the Attorney-general, and from this list the nomination will be made. If, however, no applicants under this regulation shall be found suitable and qualified, the nomination will be made at discretion.

15. Appointments to fill vacancies occurring in offices in the several Territories, excepting those of judges of the United States courts, Indian agents and superintendents, will be made from suitable and qualified persons domiciled in the Territory in which the vacancy occurs, if any such are found.

16. It shall be the duty of the examining board in each of the departments to report to the advisory board such modifications in the rules and regulations as, in the judgment of such examining board, are required for

appointments to certain positions, to which, by reason of distance or of difficult access or of other sufficient cause, the rules and regulations cannot be applied with advantage; and if the reason for such modifications shall be satisfactory to the advisory board, said board will recommend them for approval.

17. Nothing in these rules and regulations shall prevent the reappointment at discretion of the incumbents of any office the term of which is fixed by law, and when such reappointment is made no vacancy within the meaning of the rules shall be deemed to have occurred.

18. All communications in writing relative to employment, appointment, or removal from office must be addressed to the proper department. Communications otherwise addressed will not receive attention; and personal application from those who desire appointments will not be entertained by the President or by the heads of departments.

19. Appointments to all positions in the Civil Service not included in the subjoined classification, nor otherwise specially provided for by the rules and regulations, may, until otherwise ordered, be excepted from the operation of the rules.

[These regulations were adopted by the President with the following changes:

Regulation 2 is amended to read as follows:

2. The evidence in regard to character, health, age, and knowledge of the English language, required by the first rule, shall be furnished in writing, and if such evidence shall be satisfactory to the head of the depart-

ment in which the appointment is to be made, the applicant shall be notified when and where to appear for examination ; but when the applicants are so numerous that the examination of all whose preliminary papers are satisfactory is plainly impracticable, the head of the department shall select for examination a practicable number of those who are apparently best qualified.

Regulation 3 is amended to read as follows :

3. Examinations to fill vacancies in any of the executive departments in Washington shall be held not only at the city of Washington, but also, when directed by the head of the department in which the vacancy may exist, in the several States, either at the capital or other convenient place.

Regulations 5 and 18 are stricken out.]

[The thirteenth of the Rules (see *ante*, p. 84), adopted by the President on the 19th day of December, 1871, was amended by an executive order of the 16th day of April, 1872, to read as follows :

13th. From these rules are excepted the heads of departments, assistant secretaries of departments, assistant attorneys-general, assistant postmasters-general, solicitor-general, solicitor of the Treasury, naval solicitor, solicitor of internal revenue, examiner of claims in the State Department, treasurer of the United States, register of the Treasury, first and second comptrollers of the Treasury, other heads of bureaus in the several departments, judges of the United States courts, district attorneys, private secretary of the President, ambassadors

and other public ministers, superintendent of the coast survey, director of the Mint, governors of Territories, special commissioners, special counsel, visiting and examining boards, persons appointed to positions without compensation for services, despatch agents, and bearers of despatches.]

IV

THE RELATION BETWEEN MORALS AND POLITICS, ILLUSTRATED BY THE CIVIL- SERVICE SYSTEM

AN ADDRESS DELIVERED BEFORE THE UNITARIAN CONFERENCE
AT SARATOGA, N. Y., SEPTEMBER 20, 1878

THE RELATION BETWEEN MORALS AND POLITICS, ILLUSTRATED BY THE CIVIL-SERVICE SYSTEM

MR. PRESIDENT, LADIES, AND GENTLEMEN:—I am here to redeem—I am sorry to say, very imperfectly—a promise to speak upon some point of the relation between morals and politics. And certainly the times are fruitful of texts, when great parties are dissolving and reorganizing upon a question of simple honesty, namely, whether a nation, like an individual, is morally bound to keep its word. But I venture to hope that, in the exercise of that clemency of which I feel already sure, you will excuse me from any abstract discussion, and allow me to speak plainly of one of the chief sources of immoral politics in this country—the system of our Civil Service. And if I should seem to strike a note dissonant with the tone of your proceedings, I might plead that our distinguished friend, Dr. Bellows (who justly holds that his clerical office does not release him from duty as a citizen, but rather imposes upon his profession the duty of moral leadership in politics), is the president of a society for promoting this reform; but

in the presence of those who seek higher rules both of public and private living, I shall make no apology. The evil to which I call your attention explains much of what seems to so many observers the moral deterioration of our political character; and its reform, based, as it must be, upon popular intelligence, offers the chief hope of a higher political morality. The statement of what the system is, is the most trenchant appeal to public opinion, and is the most powerful argument for reform. Bear with me, brethren, if it seem to you trite and tedious, for I cannot help feeling that I am doing something to bring morality and politics nearer together when I am telling this story to so many of those who, more than any other class in the community, influence the moral and intelligent sentiment of the country. "I like," said the old English squire, "I like to talk with my rector; for, in talking with him, I am talking with the whole parish."

Now, the principle of the system of the Civil Service of this country is not new. Bolingbroke described it, nearly two hundred years ago, in England. He and his friends had come into power at the head of the State. "Our principal views," said Bolingbroke, "were to the preservation of this power, great employment for ourselves, and great opportunities of rewarding those who had helped to raise us and of hurting those who stood in opposition to us." This was the polished phrase of the Englishman. Hear, now, in our own vernacular, spoken nearly fifty years ago by Samuel Swartwout of the State of New York—hear, now, the doctrine of Bolingbroke, as it is understood by us.

Swartwout had hurried to Washington, upon Jackson's inauguration, to get an office ; and he writes to an office-seeker in New York who had begged his aid : " The great goers are the new men, the old troopers being all spavined and ring-boned from previous hard travel. I've got the bots, the fetlock, the hip-joint, gravel, halt, and founders, and I assure you if I can only keep my own legs I shall do well ; but I'm darned if I can carry any weight with me. . . . Whether or not I shall get anything in the general scramble for plunder remains to be proven, but I rather think I shall." This degrading scramble for plunder, which Swartwout so graphically describes, and with which we are all so familiar ; this notorious abuse of the very worst days of English politics, which the good sense of England to-day has entirely discarded, is now known to the politics of the world as the " American system." A change of party administration implies not only a change of the political agents of the new policy, but, with certain important exceptions, of the clerks in every bureau, of the messengers at every door, of the porters and carters of every warehouse, of the keepers of every lighthouse, of the rowers of every custom-house boat, of the washers of floors at posts on the frontier, of the makers of fires in every public building in the country. If a free-trade administration comes in, there must be no trimmer of lamps whose views squint towards protection ; and if the friends of internal improvements carry the election, and there be a post-mistress anywhere whose cousin, who has a vote, is unsound upon the main question, there are plenty of ladies quite as capable as she, and whose cousins make them-

selves useful on the right side at the polls. And yet, contemptible as this system is, it is vast, it is thoroughly organized, it ascends in regular gradations from the rower in the boat, from the sweeper of the floor—in regular ascending gradations, each place dependent upon a higher personal favor—until it reaches, at last, the high appointing power of the government. The courtesy of the Senate—a practice of modern introduction—completes, at last, this structure, which is a huge hierarchy, grown up within our modern politics and holding us all—every man who has a vote, every man who has a voice—holding us all firmly in its bands, so fast that, as has been wittily said, when we come to an election the only choice between candidates is often that of the race-course, viz., between one horse lame in two legs and another lame in three. It is a system so contemptible—for I do not in the least exaggerate it—that it would be incredible as the practice of a great and intelligent nation, even if it were not so profoundly demoralizing. There is not a midshipman in the navy, there is not an ensign in the army, who is not always and everywhere proud of the buttons and the gold lace that show him to be a naval or a military officer of the United States to whom the honor of the flag and the honor of the national name are intrusted. And yet, by this base practice, is not the word “office-holder” universally a term of reproach, which the character of the incumbent cannot turn aside, because the reproach springs from the humiliating tenure of his office? Once for all, brethren, once for all, I gladly bear witness to the high character of many gentlemen, my

personal friends, in the Civil Service of the United States. The incessant uncertainty, the fear of removal, the necessity of propitiating personal influence, the consciousness that merit is no protection, that there is a constant intrigue to procure change, that servility is safer than honest independence, inevitably tend, as Daniel Webster said forty years ago, to make the office-holders personal parasites. These things corrode their manhood and consume their self-respect. Men with the same title that Sherman or Farragut had in the service of their country, though without the same brilliancy of record—men with the same title in the Civil Service of their country—have come to me with the tears in their eyes, have told me of the orders under which they were bound to act, and have declared that they would rather cut off their right hands than obey those orders. But those orders were obeyed, to save the bread in the mouths of their families. Is this not a subject for a moral conference, for religious teachers to consider? Is it morally safe for a nation to insist that the minor business of its public service shall be done in a manner which destroys the self-respect of those who do it, and their respect, also, for honesty, fidelity, and efficiency in the discharge of duty?

But if this be the natural result of this system upon the office-holder, let us see its effect upon general politics. It creates a class, as you see, which is distinctively, in a free republic, a political class. An immediate, personal, selfish class-interest in politics is created, which is not shared by the rest of the community. The whole management of political affairs gradually slides and falls

into their hands. And their object is not the national welfare; it is the dominance of the party; it is the dominance of the power that holds them in place, and the dominance of that special personal control within the party upon which their places depend. Party spirit, from the first, has been the terror of republics. Well, party spirit, always rancorous enough, is thus embittered, intensified, infuriated. Moreover, this system seizes young men, young men with the generous ambition of our race to engage in public life. It binds them to its purpose; for they find that the political class holds the gate to nominations and elections; that the whole career which we know as public life is to be opened only by submission to this hierarchy. Thus the very fact that the practical power of politics is held by what, in this sense, is a mercenary ring in every party, drives self-respecting men out of politics. A late defender of this system argues that the whole minor Civil Service ought to be political and partisan, because, among other reasons—why? Because so many of you, because so many of the best American citizens, refuse to take part in political affairs. Why, the chief reason of this startling fact—which every intelligent critic of our politics, from De Tocqueville down to our own time, has observed—is the system whose inevitable result is to extinguish generous political ambition, and to set a price upon promotion and success which honorable and independent men are unwilling to pay. Certainly, Mr. President, in your presence, in the presence of the distinguished gentlemen who addressed this audience last night, I shall not be misunderstood as saying that all men distinguished in

public life owe their positions to dishonorable methods. When we say that the yellow fever is a plague, desolating New Orleans, we do not say that everybody in New Orleans succumbs to the pest. But the system which thus logically commits the management of politics to what is known as a "ring," united for personal and not for public ends; which brings to bear upon every primary and subsequent election the force of bribery of money and place, thereby poisoning the very fountain of government, which is the free popular will—the system which tends to disgust patriotic and intelligent citizens, and exclude them from active part in public affairs, inevitably tends to make a general election precisely what Swartwout called it; not a contest of differing policies of administration determined by argument before the people, but a mad and perilous struggle for the vast emoluments of minor place; so that the successful party enters upon administration with the ferocity of a victorious army forcing its way into a great capital, and overrunning every nook and every corner for plunder. "The great goers," said Swartwout, "are the new men." "Mr. President," said Mr. Webster, in the very dawn of this wretched system, "as far as I know, there is no civilized country on earth in which, on a change of rulers, there is such an inquisition for spoils as we have witnessed in this free republic." "Sir," echoed Henry Clay, "it is a detestable system. And if it were to be perpetuated," said the silver tongue of the West, the prophetic eye above it foreseeing our degradation, "if it were to be perpetuated; if the offices, honors, and dignities of the people were to be put

up to the scramble, and to be decided by the results of every presidential election, our government and our institutions, becoming intolerable, would finally end in a despotism as inexorable as that of Constantinople."

But not only, as you see, does this system wither the patriotic pride and public spirit of the citizen, which are the springs of real greatness in a republic; not only does it tend to make the office-holder a sycophant or a bully, and the government one of mere professional politicians and not one of the people; but it promotes the utmost waste and extravagance in the service itself—an extravagance and loss resulting strictly from the system itself. When minor places are regarded, not as public trusts, but as party rewards, there will be a constant multiplication of places to supply rewards, and the influence which has created the place as a reward will be very slow to see dishonesty or inefficiency in the person rewarded. Why, as I am making a speech for Civil-Service reform, I call General Butler to the stand—General Butler, one of the most bitter opponents of this reform—the gentleman who, in his late appeal to the people of Massachusetts, asks them to make him their governor, in the interests of economy, of purity, of all the cardinal virtues. And this gentleman, in his appeal to the people of Massachusetts, says these words—I call him to this platform as State's evidence—"With a swarm of hungry office-seekers surrounding the executive party, it is impossible to abolish needless offices, or to stop leaks in the treasury from which hungry politicians are fed. The temptation will be, on the other

hand, to create new offices, to make new leaks, to satisfy those who claim that they have a right to be rewarded for their political labors." A Daniel come to judgment! And the Daniel speaks truly when he speaks. But the truth was noted long before General Butler was known. The number of persons employed by this government in the first year of the administration of John Quincy Adams was somewhat more than fifty-five thousand; in 1833, eight years later, at the close of Jackson's first term, it was somewhat more than one hundred thousand. But, including the increase of patronage from the great public domain thrown into the market, it had more than doubled in eight years, while the increase in the population of the country at the same time did not exceed twenty-four per cent.; that is to say, when this system was first introduced into our politics the offices increased four times as fast as the population, while there is no reason whatever, but immense danger, in a proportional increase of patronage with that of the population. Or the same abuse may be studied in a single office, viz., that of the Bureau of Engraving and Printing in Washington. A committee of investigation, composed of the most skilful experts, yet of the same party as most of those employed in that office, found that before the time of the existing superintendent, or the superintendent who, two days before, had resigned, the force employed in some divisions of the bureau was, for several years, twice, and in others three times, as large as was necessary. The committee also discovered that more than half the force employed in that office could be dispensed with; and they distinctly declared

the causes of this extravagance to be reciprocal—a vicious circle of lavish appropriation and appointment by political influence. Or take one other glimpse. Three fourths of the customs revenue of this government are paid at the New York custom-house. The late commission of investigation of the system practised there found that the number of persons employed was 1036, and that the amount of the salaries paid to them was a little more than a million and a half of dollars. After a little inquiry, they recommended that one fifth of the persons employed be dismissed, with a saving of a corresponding value in salaries alone. This great and unnecessary multiplication of offices and salaries is the inevitable result of this vicious system of appointments by the mere influence of those who can create places, control appointments, and make appropriations.

But the same system breeds a waste and a shiftlessness, by the constant change of officers, which cannot be overestimated. The late collector at the port of New York states that under his three immediate predecessors more than one fourth of the persons employed were removed every year. The reports of various congressional committees state more in detail that, during the three years of one of these predecessors, out of the 903 officers employed he removed 830. Another of them made 338 removals in eighteen months, although there had been no change of party administration; and another made 510 removals in sixteen months. The late collector of the port says that under his three predecessors more than one fourth of those employed were removed every year. This, you observe, was for all

causes. Now, the terms of his three predecessors did not exceed six years altogether; in each of these years, therefore, more than 230 persons were removed in the New York custom-house alone, out of an aggregate force of about 1000. But so immense a percentage proves either that the officers were singularly inefficient or dishonest, and therefore all deserved removal; or that they were arbitrarily dismissed without regard to honesty or efficiency. In either case the shame and folly and extravagance of the present system are exposed. And it is no reply to the exposure of such an abuse and its causes to say that, whatever the system may be, the revenues are collected with amazing cheapness. It is not true. But if it were, it is not an extraordinary stretch of credulity to believe that, if the revenue be collected cheaply under a system which is shown by reason and experience to breed wide waste and extravagance, it would be collected still more cheaply under a system in which no one is interested in multiplying offices or in arbitrarily turning out officers. It is not true, however. Simply pausing to remark that our revenues are collected chiefly under this wasteful system, I note that the cost of collection of our total importation is more than three times as great as in France, more than four times as great as in Germany, and nearly five times as great as in Great Britain. And the commission which makes this report found, further, that, while the cost of collecting our customs revenue was four times as large as in Germany, the loss in its collection—by which I understand the commission to mean the difference between the amount of customs

due under the law and the amount actually collected—was probably twice as large as the net customs revenue of the German empire.

Such, brethren, is the system of the Civil Service of the United States, based upon political and personal patronage. But the proposition, in the interest of national morality and economy, to reform a practice so wasteful, so morally debasing, is naturally greeted with a storm of hostility. "I have always observed," said an acute cynic, "that men who thrive upon public abuses are like rats in a cheese. Providence, they think, plainly designed it for their food and lodging, and to try to save the cheese is a kind of blasphemous flying in the face of Providence." A nation which has abolished such a system of slavery as ours, which has paid one third of its enormous war debt within half a generation, might be supposed equal to the task of transacting its public business in a way that did not menace its public morality and its political freedom. But the suggestion even is derided as the impossible doctrine of Utopia, the politics of the moon. It is the impracticable theory of fanciful school-masters and decayed clergymen; it is the whim of those for whom heaven itself is not pure enough, who are too good for this world, if you judge them by their words, but whose virtue is only a bid, and who mean by reform good places for themselves and their retainers. So pitiful is the condition to which this moral cancer of our system has reduced the active, working politicians in this country that they seem to think that nobody can speak of public virtue but a hypocrite, or commend political

honesty without being a knave. Patience, patience! If sneers were arguments, the world would have been wind-bound long ago. When Columbus proposed to make the egg stand on end, the patronizing philosophers sneered that only a fool would try to do that. When he did it, they were the first to shout, "Any fool could do that!" The man who, in pursuit of a sound principle of reform, is afraid of the thing to be reformed, is himself not fit to be an American.

Well, it is alleged that our system is peculiar, and, in the best sense, American; that it is demanded and justified by the genius of American institutions; that to appoint to the minor offices upon proved fitness is to introduce monarchical practices, and to retain upon proved efficiency is to establish a bureaucratic aristocracy. I venture to say that nothing is more un-American than the present practice. Under the system of patronage as now administered the public service is the monopoly of a few men of the dominant party in every State. It is, practically, a despotic oligarchy. It maintains party organization by the use of the public money, and in a country where government by party is inevitable it gives the initiative of party action to the paid stipendiaries of the State. The reform that would destroy this abuse is emphatically—if I may restore a hackneyed phrase to its true meaning—the people's reform. It cannot come down from an executive, however well disposed; it must come up, whence every great movement in America comes up, from the convictions of the people. It aims to restore the public service to all the people. It asserts the essentially

American doctrine that the public offices are public trusts, not personal perquisites. "It is necessary," if I may use Mr. Webster's words again, "to bring back public officers to the conviction that they belong to the country, and not to any administration nor to any one man." This is the American doctrine; and Mr. Calhoun echoed the words of Webster: "Let us not deceive ourselves. The very essence of a free government consists in considering offices as public trusts bestowed for the good of the country, and not for the benefit of an individual or a party." The system of political morals which regards offices in a different light, viz., as public prizes to be won by competents most skilled in all the arts of corruption and of political tactics, and to be used and enjoyed as their proper spoils, strikes a fatal blow at the very vitals of free institutions.

This is the strophe and the antistrophe. This is the American doctrine, and upon this the friends of Civil-Service reform plant themselves and demand that the public business shall be done upon business principles; that the vast multitude of places in the public service which are merely administrative and clerical, and in no sense political, shall be filled solely upon considerations of fitness, ascertained in a definite and reasonable manner, free from partisan or political influence; and that the tenure shall be faithful, efficient, and economical discharge of duty. "This," in the words of Mr. Clay, speaking for another measure, "this is the true American system." It opens the doors of the service wide to the whole community; it emancipates its members from a degrading slavery; it removes from the service every

stigma, and it would do more than any single measure to strengthen the weakest part of our national system, the peril of a periodical change of the executive power; while it would imply a patriotism and a revival of national morality that would justify the whole of America to our hearts and our hopes.

To this principle I know of but one serious objection, and to that, in conclusion, I wish to attract your attention. It is an objection, I do not doubt, which is felt by many in this church. It is an objection which comes to me personally from men in all parts of the country, whom I know, and of whose patriotism I am as sure as I hope I am of my own. I will state the argument as fairly as I can; and yet it is only a graver form of the belief that the system now practised is especially American. It holds that in a popular representative system like ours government can be carried on only by party, and that to efficient party action the most complete and thorough organization is indispensable. But men in general—so the argument runs—do not act from high, patriotic motives. We cannot expect that every citizen will be a Washington or a Leonidas; and a proper party organization that will insure a thorough canvass of the voters, and bring out—to use the slang of the polls—"the last vote," cannot be maintained without a system of rewards. As the great leaders of the party, says this argument, are stimulated by the hope of the great places, so the little workmen in the caucus and at the polls must be stimulated by the hope of the little places. You must supply a motive of self-interest, and this is the obvious motive. Besides, it is urged, this

system is as old as party government. It always was so ; it always will be so. The supposition that the political practices of our fathers were any purer than our own is absurd. They used patronage and place for party and personal ends just as their sons do. Our fathers seventy years ago, says the argument, agreed with their fathers in England seventy years before, when, in the slimy court of George I., Lord Harley said that the strength of all governments, like the foundations of all religion, was rewards and punishment ; and that the former were as necessary to encourage one's friends and keep them firm as the latter to intimidate one's enemies and keep them quiet.

In dealing—very briefly—with this argument, let us look first at its specious and false assumptions. It declares that if the great party leaders may properly aspire to great places, smaller workers may justly ask for smaller places. The false assumption here is not seen by every one. It is that every place in the service is, in its degree, necessary to the carrying out of the policy of the party, and that in the political change of the administration the people fail to accomplish their will unless there is a clean sweep. But reform of the Civil Service—I beg your attention to it—carefully distinguishes between places that are political and those that are not ; between positions which are essential to carrying out a policy of government, and which are therefore the legitimate objects of political ambition, and those which are merely subordinate and clerical, and which are therefore no more objects of political ambition than the post of book-keeper in a wholesale grocery is an object of politi-

cal ambition. What is the legitimate sphere of party action? Parties divide upon questions of national policy. In a free country they appeal by public speech and in the public press to the judgment of the people. An opportunity is sought for the enforcement of a policy for the common welfare. But they can succeed only by legislation. Consequently each party strives to elect to the various legislatures representatives who will put its policy into law, and to commit the chief executive offices, with responsible advisers and representatives, to friendly hands. This is the legitimate scope of party action. Here is the spur to the noble ambition of rising hope—in an appeal to the intelligence of the people for opportunity to mould a State's decrees. In a free country political ambition is the ambition to govern, to gather a party, as James Otis and Patrick Henry and Samuel Adams gathered the party that made the colonies independent; as Richard Cobden and John Bright formed and led the party that repealed the corn-laws; not by the bribery of place, but by reliance upon popular intelligence, by the force of a common conviction, by the inspiration of a common enthusiasm, by resistanceless argument and burning appeal. When the victory is won, such men are naturally placed where they can make that common conviction law. This, I say, is the honorable impulse of great leaders to seek great places. But this is not bribery and patronage. This is not making a good blacksmith a bad appraiser of linens because he brought up bullies enough to carry a ward-meeting; and to argue that he ought to have his place in the customs upon the same principles that the leader

has his in the cabinet is to insult the common-sense of the country. Well, it is retorted that this view is altogether too high and fine for human nature, that if the blacksmith had not brought the voters to the polls the good cause would not have triumphed, and that except for the expectation of the reward he would not have brought them up. Very well, then, by the argument he would have brought them up on neither side; and that is merely to say that the people have not interest enough in the laws to go to vote, and to say that is to abandon the principle of American popular government. But now comes the final assertion, the assertion which is to-day in this country the basis of serious obstruction to the reform of the Civil Service. "Reason as logically as you will," it is said, "the fact remains that this is, and always has been, the practice in all countries governed by party." I deny it positively. The two chief countries of this kind are England and America. For England, let her greatest living statesman, Mr. Gladstone, speak—a statesman whose political career will be conspicuous in the history of his country for its daring moral tone and for resolutely opposing to the glamour of imperial aggrandizement and false national pride the sturdy conscience of Old England. He has just spoken to us—to his kindred beyond the sea—and he says that the thing which perhaps chiefly puzzles the inhabitants of the old country to understand is, why the American people should permit their entire existence to be continually disturbed by the Presidential election, and, still more, why they should raise to its maximum intensity all this perturbation by providing for what is termed a clean sweep in their Civil

Service, in all its ranks and departments, at every election of a chief magistrate. "We do not see," he says, "why this arrangement is more rational than would be a corresponding usage in this country on each change of ministry. Our practice is as different as possible. We limit to a few scores of persons the removals and appointments on these occasions, although our ministers seem to us not infrequently to be more sharply severed from one another in principle and tendency than are the successive presidents of the great Union." Mr. Gladstone speaks for England, and to the word of the late prime minister we can add nothing.

As for this country, I appeal to history. The principle that the subordinate places, which are the bulk of the places in the Civil Service, should be held by political tenure as a means of thorough party organization, was not held, nor put into practice, through all our early history. I cite you one great example. The first great party change of administration was the election of Jefferson. Party spirit was never more bitter and intense. It was for some time doubtful whether the contest in the House of Representatives would not end in civil war. Jefferson and his friends declared distinctly that if the plan which was proposed of putting the government into a kind of commission were carried out, the Middle States would arm, and no such usurpation would be tolerated for a single day. The baleful fires of party spirit that we saw dangerously flaming in the winter of 1876 were quite as lurid in the winter of 1800. Well, the party of which Jefferson was the chief without a rival was as much distrusted and hated by the Federal-

ists as Robespierre and the French *sans-culottes* were abhorred by the English Tories. But in less than ten years this great party had risen over the party of the Revolution, and was now thoroughly organized, enthusiastic, and triumphant, not only without the power to assess and discipline its workers, but without the promise and expectation of a clean sweep of officers if it came into power. When Jefferson became President there were fewer places in the blue-book of the United States than there are now in that of the New York custom-house alone. In the moment in which I speak to you there is in every one hundred and fifty voters of the State of New York one national office-holder; but there were not then officers enough to form any considerable element in the calculation. Madison and Gallatin, the other Jeffersonian leaders, naturally and properly expected that if their party should succeed they would be called to aid in shaping the general policy of the administration; but there was no expectation that, as a matter of course and as a condition of party government, all the national office-holders would be put out, and sound, hard-working Jeffersonians put in; and even Mr. Randall, the biographer of Jefferson and an advocate of the Jeffersonian system, "provided," as he amusingly says, "it is kept within bounds"—which is as wise as to provide that an explosion of gunpowder should be kept within the keg—expressly admits that there was a general feeling that the offices were held on a good-behavior tenure. And Mr. Calhoun, in his report on the extent of the executive patronage, distinctly speaks of removals from office on party grounds as of recent date, and says that

the cases of such removals, in the early stages of the government, were so few and of such little influence that they did not constitute a practice. Mr. Webster, in his great speech at Worcester, in 1835, said that political proscription leads necessarily to the filling of offices with incompetent persons and to consequent mal-execution of official duties; and when Mr. Webster announced to the Senate that Major Melville, one of Samuel Adams's tea-party, was one of the first victims on whom the hand of the "reforming" President of that time had fallen, he said that the Senate was struck with horror. These are contemporary witnesses and authorities which no American, of any party or of any section, can challenge or question. Their testimony is unanimous and incontestable. What becomes, then, of the assertion that the practice of regarding the minor places in the Civil Service as the spoils of office is as old as the government, and an essential condition of party success? Was not the Jeffersonian party efficiently organized? Was not the Jeffersonian administration efficiently organized? And yet, when his second election was pending, Jefferson distinctly refused to make the Civil Service a political machine. He curbed the eager partisanship of office-holders of his own appointment, and he wrote to Mr. Gallatin, Secretary of the Treasury, antedating the Civil-service order of President Harrison and that of President Hayes: "I think the officers of the federal government are meddling too much with public elections. Will it be best to admonish them privately or by proclamation?" The Federalists fought with the rage of despair, but Jefferson was re-elected, re-

ceiving 162 electoral votes against 146 for his opponent. It was a presidential election fiercely contested, but triumphantly carried by the administration party without the machinery of patronage and with a warning to the national office-holders to hold hands off. It is a conclusive answer to the common assertion that in this country official patronage is indispensable to efficient party organization, and that the monstrous abuse of our day is a practice coeval with the government. The fathers, as we reverently call them, were not, as I know, saints in politics. They could hate or malign an opponent as bitterly and as brutally as their children. The *Aurora* reviled Washington with a ribaldry compared with which the abuse of a modern president is tame; and Timothy Pickering can be described often only as a blackguard when he speaks of Jefferson. Corruption, intrigue, meanness of every degree—these are not new. The sycophant is not a modern figure. Fawning, flattery, and solicitation of the dispensers of power constantly meet the eye of the student of our earlier politics. But all these things show—for I am not saying that these men were, in any sense, reformers as we are—these things show how modern is this practice of inquisition for spoils which is asserted to be an integral part of our system. Our fathers—Heaven rest their strong and sturdy souls!—our fathers—it is well in our hot day to recall their example—may not have been saints, but we know them to have been heroes. They had our passions and our prejudices. They heard the clamor that we hear; they heard it, doubtless, in their own breasts, as well as from the mouths of others.

There were "great goers" in their day, too, who demanded the spoils as greedily as Swartwout and his crew. The difference is—and it is all that I assert—the difference is that the fathers victoriously resisted Swartwout, while the sons have ignominiously surrendered to him. The bugle of reform calls us to renew the battle that we have lost, and to conquer once more with the faith and the courage of the fathers.

Mr. President, you will think that I have strayed far from the domain of your deliberations, and have given you a speech instead of a sermon. But, children as we all are of men who founded a State on the moral law, and resolved as we are that it shall not swerve from that eternal foundation, holding that in the moral order of the universe the right is always the politic, and pledged by our patriotic hearts to keep unstained the high ideal of our America, I appeal to you, fathers and brethren, whether the moral purification of our public life is not a work of vital Christianity, and whether a wise and reasonable reform of the Civil Service would not tend to unite more closely American morals and American politics.

V

MACHINE POLITICS AND THE REMEDY

AN ADDRESS TO THE INDEPENDENT REPUBLICANS, DELIVERED
IN CHICKERING HALL, NEW YORK, MAY 20, 1880

MACHINE POLITICS AND THE REMEDY

I ACCEPTED your invitation with great pleasure, as that of Republicans who know that the Republican party was founded in freedom and for freedom, and who are resolved to keep yourselves free. Your action last autumn, as citizens interested in politics, but without personal or mercenary ends, determined not to sacrifice party principles to party organization, and quietly holding your ground against every form of ridicule and hostility, was a public service deserving the public gratitude, and full of good augury for the future. You were told that you were voting in the air, but you knew that such air-guns as yours had done great execution, and if your twenty thousand airy shots were noiseless, they hit the mark at which they aimed. The man who is proud never to have voted anything but the whole regular party ticket shows the servility of soul which makes despotism possible.

This is not to deny that great public objects can be secured only by associated, energetic, and organized action; that is, through parties. The progress of liberty, indeed, is the history of party. Sam Adams and Pat-

rick Henry, Jefferson and Hamilton, Washington and Lincoln were all party men.

In England, John Pym and John Hampden, Burke and Fox, Pitt and Peel were, and to-day Gladstone, Bright, and Beaconsfield are, party leaders. The repeal of the corn-laws, the reform bill of 1832, the disestablishment of the Irish Church, as in our own country the freedom of the Territories, the vigorous prosecution of the war to save the government itself and to secure constitutional guarantees of equal rights to equal citizens, were all party triumphs. They were the results of tremendous and bitter contests. The ablest minds of both countries were arrayed like great ships of the line against each other, and amid electric fires of eloquence and the heat and smoke and fury of passion the mighty conflict was waged and the Arbelas and Marathons of popular government were lost and won.

Here is the secret of the romance of party loyalty upon which politicians trade. It is a sentiment indeed; but so is love, so is patriotism, so is religion. If a man recalls always with interest the ship in which he has crossed the ocean; if his college has a fond hold of his heart, and the house which has long been his home is dear from hallowed associations, the party in which he has taken part in achieving splendid results for his country, for liberty, and for mankind, is consecrated in his mind and memory, not as a mere agency, but as a living and inspiring organism.

But if this makes independence within a party difficult, it is none the less indispensable, and those who sneer at it as incompatible with the conditions of party

forget that it is only independence within the party which secures political progress by means of party. Thirty years ago there were as now but two chief political organizations in the country. But the great moral abolition appeal, of which Garrison was the iron will and Phillips the golden voice, gradually showed to men like Charles Sumner and William Henry Seward in the Whig party, and to William Cullen Bryant and Salmon P. Chase in the Democratic party, that slavery was a standing threat of every condition and safeguard of a free government, and that slavery was extending. The repeal of the Missouri Compromise was a tocsin which startled the most listless and sceptical. It was plain that if the subversion of the republic by slavery was to be prevented, it could be prevented only by the united and organized action of the friends of American freedom, whether Whig or Democrat. The moment that this was evident the Democratic party became the party of slavery, and the Whig party, reluctant to stand for liberty, heeled over and went down like the *Royal George*. But its patriotism, its energy, its intelligence, instantly united with the Free-soil Democrats, and the Republicans of 1855-56 were the lineal descendants of the Sons of Liberty of the Revolution. The Republican party arrested the march of slavery over the continent, conquered it in the field, freed the slave and the master—for both were equally wronged and enthralled by the system—re-wrote the Constitution as a bond of equal liberty, and justified popular republican government as the strongest government in the world.

The Republican party was the means by which these

great results were accomplished, and except for that party they would not have been achieved. But if every Whig had said that the success of the Whig party, without regard to its position upon the paramount question, was the primary object, and every Democrat had said the same of the Democratic party, the flag of the United States would be to-day the black flag of slavery, and Robert Toombs would long since have called the roll of his slaves on Bunker Hill. If you could watch with the eye of the prince in the fairy tale every seed which in these warm spring days is swelling and quickening in the ground, you would see one point, all alive, the centre of vitality, from which shoots the delicate stem that will develop into the future plant. That vital point in every political party is its independent element, and from that, and from that alone, springs political progress.

It is true that party action becomes impossible if every member insists upon having his own way. There must be, undoubtedly, general concession and sacrifice of mere personal preference, but every member must also decide for himself how far this may go and where it must end. No Republican has a right to appeal to me as a Republican to stand by the party who does not do what he can to make the party worth standing by. A party is made efficient only through men. It is necessarily judged by its candidates, and if its members support unworthy candidates to-day for the sake of the party, they make it all the easier to support unworthier candidates to-morrow. If I agree to vote for Jeremy Diddler to-day because he is the regularly selected standard-bearer of the grand old party of honesty and re-

form, I cannot refuse to vote for Benedict Arnold tomorrow because *he* is the standard-bearer of the grand old party of independence and patriotic glory. If the reply be, that nobody pretends that we ought to vote for candidates of bad character, I answer that a candidate who for any reason justly discredits the party and thereby imperils its success and consequently its objects, is, from the true party point of view, a bad man, and fidelity to the party demands the rejection of the candidate.

It is of the utmost importance that these elementary truths should be constantly repeated and remembered, and one of your great services is that of practically recalling them to the public mind, because the most startling fact in our present political situation is that party is ceasing to be an agency of the people. A system is rapidly developing itself which usurps the political initiative—the vital point of popular government—and which rules in the name of the party, as the meanest king was said to rule by the grace of God.

This system is known as the machine. The machine is an oligarchy, a ring or clique of professional politicians, that is, of men who live by the emoluments of official place, and who give their lives to politics. They are not formally organized, but there is a common and instinctive understanding among them. Their object is the maintenance of their own power for their own advantage, by means of the party organization and of the party spirit which keeps party men faithful to the regular party action. The machine has no public purpose, no faith in private honor or integrity or patriotism. Its

cry is that all is fair in politics, and its whole spirit is revealed in what one of its members once said to me, "This is a nasty State and it takes a great deal of nasty work to carry it, and I trust we have nasty agents enough to do it." So far as I have observed, his confidence was well founded. As there is always a great deal of nasty work done, there must be a great many nasty agents found to do it. The machine is known in both parties; but nowhere is the Republican machine, with which we are especially concerned, more powerful and complete than in the State of New York, and its character and methods can be most readily studied here and now, when a national election is at hand.

In a popular government an election is an appeal to the people. In this country, under our complicated system, it is a series of events of which the first is the action of the primary meeting, and that first action is decisive. Our government begins at the primary, and whoever or whatever controls that controls the government. That is the fountain, and if that is tainted the whole stream will be poisoned. The machine shrewdly begins at the beginning, and a familiar illustration will reveal its character and methods. It is supposed, this year, that the result of the Presidential election will depend upon New York. According to our custom a national convention of delegates will nominate the candidate. To that convention the State of New York sends nearly a tenth of the whole number of delegates, and that tenth might easily control the balance of power in the convention. But, in the selection of these New York delegates, a tenth of the Republican

voters of the State are unrepresented. They are disfranchised by the machine. There are probably fifty-eight or sixty thousand Republican voters in this city, and about fifty thousand, or nearly nine tenths of them, are not permitted to have any voice whatever in selecting the candidates whom they are expected to support. Those who are allowed to vote are the henchmen of the machine, and they select nearly a seventh of the State convention at which the national delegates are appointed.

Do you ask how this disfranchisement is effected? By the simplest means. The primary meeting, as I said, is the first step of the election. The State convention orders an organization of the party in the city, and it is made the basis of organization that no Republican shall vote at a primary meeting who is not a member of a Republican ward association. He can become a member, and so acquire the right of primary voting, only upon a recommendation from a committee, and upon the pledge of supporting any candidate who may be regularly nominated, whatever and whoever he may be. This absolutely excludes from membership of an association, and consequently from the right to vote, every Republican who will not pledge himself to vote for any one who may succeed in buying a nomination; and it also excludes, by delay in the committee, any Republican who may be objectionable to the machine as an impracticable and troublesome fellow, of the kind that troubled Mr. Barnacle by always "wanting to know, you know," and who will insist upon honor and decency even in politics.

All these disorderly fellows, comprising the great body of the ablest, the most intelligent, and the most patriotic Republicans of the city of New York, are as absolutely disfranchised in all the most important preliminary action of the party as the slaves were formerly disfranchised in the Southern States. They are permitted to vote for such candidates only as those may nominate who have pledged themselves in advance to support Judas Iscariot, if he should be able to bribe the convention. That is the sole choice left to the Republicans of this city who will make no such pledge, who are willing to profess loyalty to principles, but not to persons; and that is the reason that in every Republican State convention the character and intelligence of the Republicans of the city are never represented except by three or four delegates who have no constituencies, and who consent to try to earn the favor of the machine by draping it with their respectability. But they are only befooled. They can buy the machine or they can frighten it, but they cannot conciliate it; and while they suppose that they are placating it for their own purposes, they are as dead as Hector dragging at the chariot-wheels of a scornful Achilles.

The election that follows this preparation is simply the choice of an alternative dictated by the party machine. As Louis Napoleon, having usurped power, ordered it to be formally confirmed by a plebiscite, so the machine submits its action to the ratification of the party. The alternative which the Bonapartes offered to France was their empire or anarchy; that offered by the machine to the party is supremacy or party defeat.

It appeals to party spirit, to fear, to ridicule, to hope, to ambition, to the patriotism of the honest party man who identifies his party with his country, and it defies him to betray his country because he is dissatisfied with a nomination. The sophistry is insidious and seductive, and it is only he who sees this system, when it becomes general, to be the practical overthrow of popular government, and in itself one of the most menacing of political evils, who is able to say, when the appeal comes in the name of great deeds accomplished and of proud and friendly associations with the dead and the living, "Get thee behind me, Satan!"

Undoubtedly party is the effective agency of progress, and organization is essential to party. But it does not follow that any kind of organization, used in any way and for any purpose, is indispensable or tolerable.

There must be discipline in an army and on ship-board. But when a soldier or a sailor has been wantonly and cruelly wronged, all honest men despise the apologist who pleads, "Oh, but there must be discipline." Must there be injustice, must there be cruelty, must there be inhumanity? And if there are such offences, shall a man call them discipline without public censure and contempt? There must be government to preserve the good order of society. But because government is necessary, shall Nero and Tiberius and the bloody miscreant of Burmah be defended? Undoubtedly there must be organization in a party. But disfranchisement of its character and intelligence is not organization, bribery of place and money is not organi-

zation, moral degradation and sophistication, pandering and bullying and intrigue, swindling and lying, are not organization, and the man who publicly defends the wanton tyranny of the machine upon the ground that organization is necessary to party would have crept under Lord North's royal livery in the British parliament, and have denounced Edmund Burke and Lord Chatham as rebels and traitors when they rejoiced that the colonies had resisted the tyranny of the crown. Such traitors and rebels are the glory of free government. Such treason and rebellion are the true conservatism of the great liberty-loving English race.

Thus the venal oligarchy within the party known as the machine usurps the original power of the people, and, in the place of true party leaders, of men who lead by moulding and guiding the popular intelligence, by the sympathy of common conviction, by resistless argument and burning appeal, gives to our politics party bosses, Tweeds and Sweeneys, more or less lacquered, of various degrees and accomplishments, whose opinions, if they have any, upon great public questions they cannot or do not express, and if they could express, nobody would care to hear, huge contractors of votes, traders and hucksters in place and pelf, who suppose that office, instead of a public trust, is a private perquisite, to be used, as Bolingbroke said, to reward those who helped to raise them and to hurt those who oppose them. It makes personal servility the condition of political success, and, while demanding party allegiance, does not hesitate to betray the party by bargaining with the enemy. It is a system at once absurd,

un-American, and dangerous to liberty. By its consolidation and extension through the country a syndicate of party bosses may become dictators, and the most fundamental and radical changes of our political system may be silently and unobservedly effected.

Is it ridiculous to suppose that while the people rule any such change is possible? But the very proposition is, that under this system the people are ceasing to rule. I speak in the presence of some of the most intelligent American citizens. They live in the chief city of the country and they belong to one of the great political parties. An election of President is imminent, and, like all Presidential elections, it is of the most vital importance to the welfare of the country. Yet a multitude of those to whom I speak, and thousands of others, are not permitted to have any voice whatever in the selection of candidates, however much they may desire it. Either they must support a candidate of their own party, who may have been forced upon them by an assembly in which they were forbidden to be represented, or they must practically vote against their party. A general extension of this system throughout the country would be the practical overthrow of popular government, by turning party organization against the very purpose of party.

It is true that there is immense political indifference among good citizens, and that, even if all barriers were removed, multitudes of intelligent men would still neglect their political duty. But this is only another reason for incessant warning, because it is upon that very indifference that the machine counts for success;

and the more general this indifference can be shown to be, the more imperative the necessity of such associations as yours and of such addresses as you have offered to the public. This indifference is the more lamentable, because the justification of popular government is that the patriotic intelligence of a few can sway great masses of men as the moon draws the waters of the sea. Therefore, while good men sit at home, not knowing that there is anything to be done nor caring to know, cultivating the feeling that politics are tiresome and dirty, and politicians vulgar bullies and bravoos, half persuaded that a republic is the contemptible rule of a mob, and secretly longing for a strong man and a splendid and vigorous despotism—then remember it is not a government mastered by ignorance, it is a government betrayed by intelligence; it is not the victory of the slums, it is the surrender of the schools; it is not that bad men are politically shrewd, it is that good men are political infidels and cowards.

But exhortation and reproach alone will not conquer such indifference, because it arises mainly from hopelessness. The general feeling among those who are crushed by the Juggernaut of the machine is that it is useless to resist it. "Here is a body of unscrupulous politicians," says the honest citizen, "who live by politics. They have no other business, and they give all their time to this. They know each other, and they know the tricks of their trade. In this city and in other cities they deal with the contractor of tenement-house votes, who, for a price, will deliver them in blocks

of fifty or a hundred. They have control of the ward associations and they determine the regular action of the party. If we go to a primary we are laughed at, and if twenty of us go together we are bowed in and counted out. We cannot attend to all this business, nor devote our days and nights to politics, for we have our own affairs to care for. There is nothing to be done, and you gentlemen who talk about purity and honor and decency in politics are innocent lunatics. Until you can show us, the great body of the voting members of the party, some feasible and practicable method of overthrowing the machine, without giving ourselves exclusively to politics, we shall have to submit to it as an irremediable evil."

The challenge is fair, and I answer at once that there are two practicable and perfectly effective remedies for the monster evil which now threatens our politics. One is individual and immediate; the other is general and radical. The first, which is immediately available, is that with which this association is identified. It is a short and easy method, requiring no elaborate organization, open to every voter; a method which, if put in force by every man who wishes to strike a blow for decent politics, would summarily overthrow the machine in the least time and with the smallest of weapons; for the weapon is but a pencil or a pen, and the time is only the moment necessary for a scratch.

The first powerful and conclusive remedy for the tyranny of the machine, open to every self-respecting man who values his party so highly that he wishes to keep it effective by keeping it clean, is scratching. The

word has become a sneer, a taunt, a bitter reproach, but the test of the power and effectiveness of the remedy is the fury with which it is assailed. In the mediæval legends the evil spirits feared nothing so much as the sign of the cross and the drop of holy water by which they were exorcised. The evil spirits of party hate in the same way the scratching of the ticket. But such spirits must be taught by means that they understand. "Them fellers," said the captain of a canal-boat of his men, "never think you mean a thing until you kick 'em; they feel that and understand." The rumor of a scratcher makes the camp of the machine hum, as that of the approach of a detective or a marshal stirs the camp of whiskey moonshiners in the mountains. The machine denounces scratchers as lustily as Laud denounced the Puritans, or George III. the rebellious Yankees, or slave-driving Democrats Republican woolly heads. But such epithets are like drone bees in a hive. They make a noise, but cannot sting. When De Foe stood in the pillory the populace pelted him with roses instead of stones. John Wesley caught the taunt of Methodist that was flung at him as a missile and wore it as a crown. There is no doubt, to borrow the slang of the prize-ring, that if all good citizens who detest the machine would come up to the scratch the machine would fall.

The efficiency of scratching as a political corrective was shown in New York at the last election, and undoubtedly the independent Republican voters to-day hold the balance of power in this State in the pending Presidential election. Their independence has proved

that it has the courage of its convictions. It has no need to threaten; it has no wish to dictate. The State election was conducted solely upon national issues; yet, under the same strenuous party appeal that will be made this year, the independent Republican sentiment scratched. Its aim was to show that New York was Republican upon a platform of Republican principles, and with candidates who illustrate them; and that New York is doubtful, even upon a platform of Republican principles, with candidates who discredit them. That was the allegation of the independent Republican voters, and the returns proved their proposition.

In the Revolution, the Sons of Liberty were enrolled as minute-men, to turn out upon the first alarm of an approaching enemy. The scratcher is the minute-man of politics. He is always in light marching order. He has only to consult his own knowledge and conscience, and with one stroke his work is done. Fortunately, also, his stroke may be as secret as his ballot. Those who do not choose to publish the fact need not be known, and may smile serenely at the blind fury of those whose plots are quietly foiled. This is the reason of the impotent anger with which scratching is assailed. It cannot be reached. The scratcher, if he chooses, is out of sight, but the scratching goes on. It is like that withering fire of the Concord and Lexington minute-men from behind walls and trees and fences upon the appalled English red-coats. The red-coats were the regulars, but the irregulars won the day. Scratching is denounced as dishonorable. Oh, no! the secret ballot is not dishonorable. The shot of the Middlesex farmer from behind

a tree was no more dishonorable than the immortal volley from behind the breastworks of Bunker Hill.

Scratching, then, is the great conservative power of the individual voter. It is his declaration of independence, not of his party, but of the abuse of the party power. If we would have good crops in the field we must scratch the weeds out. If we would have good men upon the ticket we must scratch bad men off, and when the machine is taught that the swift punishment of defeat at the polls by the hand of the individual voter will follow betrayal of the party by nominations "unfit to be made," such nominations will cease. No more admirable statement in party ethics has been made than that in the recent Massachusetts Republican platform, that the duty of party men to support a nomination is reciprocal with that of party conventions to make nominations fit to be supported.

But useful as scratching is as a corrective, it does not strike at the heart of the machine, and it is therefore *only* a corrective and not a radical remedy. That remedy can be found only by finding the source of the power of the machine, and that source is official patronage. It is the command of millions of the public money spent in public administration; the control of the vast labyrinth of place, with its enormous emoluments; the system which makes the whole Civil Service, to the least detail and most insignificant position, the spoils of party victory; which perverts necessary party organization into intolerable party despotism. It is upon this that the hierarchy of the machine is erected. Strike at this system strongly, steadily, persistently, and you shiver the machine to pieces.

The tale is familiar, but it cannot be heard too often. The wrong of slavery was always old and the story never new, but it took thirty years of endlessly reiterated argument and agitation to arouse the heart of the people and elect an antislavery President. The spoils system, the basis of the machine both in State and national politics, is a vast and elaborate structure. It rises in regular gradation from the poor old women who scrub the floors of public buildings, and the pages who run errands, and the messengers who sit at office-doors, and the coal-heavers who feed fires, each place in order dependent, not upon merit or service, but wholly upon a higher personal favor. It rises to chief appointing officers, to governors, heads of departments, and superintendents, to collectors and postmasters who dispose of thousands of places. The national spoils system culminates in the Senate, in which usurpation of the executive functions is decently veiled under the phrase of "the courtesy of the Senate," by which senators from a State control the national patronage within it as a perquisite of their position, and which makes the cardinal question, upon confirming a nomination of the President, not the fitness of the candidate, but his acceptability to the senator from the State.

Naturally under this system public officers multiply uselessly that there may be more rewards for political and personal service. Primaries, caucuses, conventions are controlled by the promise and expectation of a chance of plunder which the machine distributes. Of course the sentiment of loyalty in the recipient is not to the government; it is that of a dog to his master who

throws him a bone. The messenger at the door, the clerk at his desk, has not the legitimate pride of honorable service; he is in dread of the frown of his superior, and forced to avert it at any price. His tenure corrodes his manhood and his self-respect. Men who were serving their country, in civil positions, as honestly and efficiently as any "boy in blue" ever served in the field, have come to me with tears of shame in their eyes to tell me of political duties assigned to them which they would rather cut off their hands than do, but which they did rather than take the bread from the mouths of their families. When Swartwout fled with a million and a quarter of dollars of the public money, which were his pickings from the bone of the collectorship thrown to him by General Jackson, the auditor of the custom-house was asked why he had not testified before the committee of inquiry to certain vital facts known to him. He replied, "Because we clerks of the custom-house consider ourselves as in the service of the collector, and not in the service of the United States"; and the assistant cashier said that he held his tongue "in conformity with custom-house practice."

The number of persons officially employed in the New York custom-house is somewhat more than one thousand, and the annual amount of salaries paid is a little more than a million and a half of dollars. Now, under the patronage system this is virtually a bribery fund at the disposition of the collector, and as, under the party usage in this State, the collector is usually—not now—one of the chief machine managers, this great sum of the public money, paid in salaries at a single

public office, is spent for the advantage of the party machine, and serves to maintain and confirm its power. In the same way the wanton waste, arising from the incessant change of officers, is due to the necessities of the machine. The late collector of the port states that, under his immediate predecessors, more than a fourth of the persons employed were removed every year. The reports of Congressional committees state more in detail that, during three years of one of these predecessors, out of 903 officers he removed 830. Another made 338 removals in eighteen months, and another made 510 removals in sixteen months. For a period of six years, therefore, more than 230 persons out of an aggregate of about 1000 were removed in the custom-house every year. This incredible change was made, not because the officers were inefficient and dishonest and therefore deserving removal, nor for the advantage of the service, nor for any public reason whatever, but solely to consolidate and strengthen the machine. "It is necessary," said Mr. Webster, long before the evil had become so vast and organized and dangerous as we see it to be, "it is necessary to bring such public officers to the conviction that they belong to the country, and not to any one administration nor to any one man."

Until this is done the machine will become more and more powerful. The entire initiative of party action will gradually pass into the hands of paid stipendiaries of the State and the nation. Parties will merely register the decrees of bosses. Patriotism and character and ability, which scorn the petty peddling in place and the gag and padlock in caucus and convention, will be more and

more excluded from public life. Great politics will disappear. The noble, intellectual contention of principle seeking the control of national policy will shrink into a truck and dicker of place, and the public service will become more and more surely the chief public peril. Already in New York the important question is, not what does the Republican party think, but what does Mr. Conkling say; and in Pennsylvania, not what does the party wish, but what does Mr. Cameron mean to do? Is this republican or is it imperial?

Louis XIV. said of France, "I am the State." But a system which enables any member of a party to say with virtual truth, "I am the party," is a system which, so far as that personal power extends, has destroyed popular government.

If I am asked whether I mean that the machine in New York is at this time based upon the patronage of the government, when it is notorious that some of the machine leaders have been deprived of that patronage and are arrayed in angry hostility to the national administration, I reply that the strength of all political machines springs from patronage, and that they hold firmly together either from its actual possession or the eager expectation of its complete control.

The only Republican machine now known in this State is that which is intrenched in the State Executive Department. It arose and was fully developed under the late national administration. At the close of that administration the machine was in absolute possession and control of the vast national patronage in the State, and its organization became thorough, complete, and

despotic. From the moment that the present administration came into power—an administration hostile to the abuse of patronage, which is the vital machine principle—it has been constantly and contemptuously defied and opposed by the machine leaders. The President's reluctance to consider political perversion of official power as personal or official delinquency has retained in office the vast body of incumbents, many of them incapables, who were appointed by the machine, who are still naturally subservient to the power which appointed them, and who anticipate and aid as they can the return of the old control. The New York machine, therefore, holds firmly together with the resolution and expectation which unites an army assaulting a fortress mainly garrisoned with its friends. That army is victualled with the complete possession of the State patronage, and it is inspired with the hope of the restoration of the national administration which enlisted and organized it. I say, therefore, that, dislodged from some national offices as it is, the strength of the New York machine lies now, as much as ever, both in the control and in the hope of official patronage.

To destroy this malign power, which degrades our politics and demoralizes the national life and character; which insinuates its slime into every part of the public administration, however remote from party politics, so that political influence retains drunken nurses in hospitals and brutal overseers in asylums; to overthrow a usurpation which has already seized so much of their own power from the people, the destruction of the spoils system of the Civil Service is indispensable. Scratching

and bolting will fortunately relieve the evil pressure of the machine on any particular spot at any special time. Scratching and bolting are great restorative powers of the republic, of liberty, of political morality and decency. But reform of the Civil Service, by abolishing patronage, effectually stops the machine, by compelling it to empty its own pockets and not to pick those of the public to pay its way. It is in the truest sense the people's reform. It restores the public service and the political control of the country to the great mass of the people. It asserts the essentially American doctrine that public offices are public trusts and not personal perquisites. It demands that the public business shall be done upon business principles; that the vast multitude of places in the public service, which are merely administrative and clerical and in no sense political, shall be absolutely non-political; that they shall be filled solely upon consideration of fitness, ascertained in a definite and reasonable manner, free from all political influence; and that the tenure shall be faithful, efficient, and economical discharge of duty, whether that tenure be for a day or for fifty years. This is the great conservative movement of American liberty, good government, and honest politics. It is the rapidly increasing demand of the American people. The issues of the last generation are fast disappearing, and the party of the future is the party of Civil-Service reform.

It is too late to denounce it as impracticable, as a dream and a folly and the politics of the moon. Is England the moon? Is John Bull a dreamer? Is the English government any less a party government than

ours? Is English party spirit more moderate and reasonable than our own? On the contrary, English parties are more thoroughly disciplined than ours and party spirit burns more fiercely. Even now the air rings with the fall of the late Tory administration, the greatest political crash in England for fifty years. But, although the administration has fallen after a desperate struggle, not a single office-holder was assessed to sustain it or removed to strengthen it, nor will a single customs officer or post-office clerk or messenger or floor-scrubber or light-house keeper or boatman or laborer lose his place in consequence of this victory. The Governor-general of India will be changed, and the Viceroy of Ireland, and the ambassador to Constantinople, because these are great political offices in which change is necessary to secure the proper representation and enforcement of the policy which the English people have approved. But there will not be a change of a single minor administrative office in the kingdom.

On the other hand, there is not a postmaster, except our friend Colonel James, or customs officer or clerk or messenger or floor-scrubber or boatman or carter in the whole Civil Service of the United States—and they are counted by hundreds of thousands—nor any man or boy of the still other hundreds of thousands who hope in the scramble to secure a post-office or a clerkship, who is not at this moment on the one side doubting, shivering, and fearing to be put out, and on the other hoping, pushing, lying, cheating, and struggling to get in, as he looks forward to the result of the election upon which we are entering. And this, we are told, is

essential to efficient party organization. But in England, a country of thoroughly organized parties, where there is no spoils system and because there is none, the result of the election indicates the real convictions of the people a hundredfold more truly than the result of ours will show the real sentiment of this country.

Nor need we go to England to see the perfect practicability of this radical remedy for the machine. Once made universal at every point and throughout the country, both in the State and national service, the system which, despite the machine, has been adopted for a year in the New York post-office and the New York custom-house, in which three fourths of the revenue of the country is collected, and the machine would disappear. The administration of President Hayes has been arraigned and sharply criticised for inexplicable inconsistencies and for surrender to the evil system. But when its faults in this respect are all told, it still remains true that this administration has done far more for the actual reform of the Civil Service than any other in our history. The machine's instinctive hatred of it is fully justified, because under its auspices the simplicity and practicability of the sound and reasonable reform which will overthrow machine politics have been fully demonstrated. Singularly free from scandal and reproach and from the least breath of suspicion, strongly intrenched, despite all calumny, in the respect and confidence of the American people of all sections and of all parties, it will be known in our history as the clean administration. Happy would the country be were it sure that the election of this year would give us an ad-

ministration equally free from evil associations, equally strong with the only real strength of constitutional government—the contentment and prosperity of the people.

Courage, then, gentlemen, and forward. Every sign is auspicious. Already there is a powerful public opinion which holds that this reform is one of the most vital of our public questions. Patience! patience! The movement of the popular mind is like the breaking up of a frozen river in spring. The warm air blows, the sun shines, even the birds begin to sing and the trees to put out leaves and blossoms, and still the ice lies white and motionless and the river is seemingly bound fast forever. But suddenly, in a single night, the vast mass, which the sun and the warm winds have been melting and loosening all the time, slips away, moves, disappears, and day dawns upon the ripple of living waters from shore to shore. So the steady heat of reiterated argument and repetition beats upon the seemingly frozen public mind, and suddenly it moves and bears away resistlessly and triumphantly wrongs and abuses and machines, and reform comes, like the spring, full of beneficence and promise. Let us, who believe this reform to be a measure of the most vital importance, not a panacea for all political ills, not the harbinger of the millennium, but the most practicable method of remedying immense abuses and averting imminent dangers, remember that if every step of political progress has been secured by party, yet that individual conviction and independence have made parties. Our fathers were willing subjects of the crown so long

as the crown obeyed the law. But when the king became a despot, they shook off king and crown together. We are Americans born of freedom, and we are recreant Americans if we do not hold ourselves as much the enemies of the despotism of a party as our fathers were enemies of the tyranny of a king.

VI

THE SPOILS SYSTEM AND THE PROGRESS OF
CIVIL-SERVICE REFORM

AN ADDRESS DELIVERED BEFORE THE AMERICAN SOCIAL
SCIENCE ASSOCIATION, AT ITS MEETING IN
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THE SPOILS SYSTEM AND THE PROGRESS OF CIVIL-SERVICE REFORM

TWELVE years ago I read a paper before this association upon reform in the Civil Service. The subject was of very little interest. A few newspapers which were thought to be visionary occasionally discussed it, but the press of both parties smiled with profound indifference. Mr. Jenckes had pressed it upon an utterly listless Congress, and his proposition was regarded as the harmless hobby of an amiable man, from which a little knowledge of practical politics would soon dismount him. The English reform, which was by far the most significant political event in that country since the parliamentary reform bill of 1832, was virtually unknown to us. To the general public it was necessary to explain what the Civil Service was, how it was recruited, what the abuses were, and why and how they were to be remedied. Old professional politicians, who look upon reform as Dr. Johnson defined patriotism, as the last refuge of a scoundrel, either laughed at what they called the politics of idiocy and the moon, or sneered bitterly that reformers were cheap hypocrites who wanted other people's places and lamented other people's sins.

This general public indifference was not surprising. The great reaction of feeling which followed the war, the relaxation of the long-strained anxiety of the nation for its own existence, the exhaustion of the vast expenditure of life and money, and the satisfaction with the general success, had left little disposition to do anything but secure in the national polity the legitimate results of the great contest. To the country, reform was a proposition to reform evils of administration of which it knew little, and which, at most, seemed to it petty and impertinent in the midst of great affairs. To Congress, it was apparently a proposal to deprive members of the patronage which to many of them was the real gratification of their position, the only way in which they felt their distinction and power. To such members reform was a plot to deprive the bear of his honey, the dog of his bone, and they stared and growled incredulously.

This was a dozen years ago. To-day the demand for reform is imperative. The drop has become a deluge. Leading journals of both parties eagerly proclaim its urgent necessity. From New England to California public opinion is organizing itself in reform associations. In the great custom-house and the great post-office of the country—those in the city of New York—reform has been actually begun upon definite principles and with remarkable success, and the good example has been followed elsewhere with the same results. A bill carefully prepared and providing for gradual and thorough reform has been introduced with an admirable report in the Senate of the United States. Mr. Pendleton, the

Democratic senator from Ohio, declares that the spoils system which has debauched the Civil Service of fifty millions of people must be destroyed. Mr. Dawes, the Republican senator from Massachusetts, summons all good citizens to unite to suppress this gigantic evil which threatens the republic. Conspicuous reformers sit in the Cabinet; and in this sorrowful moment, at least, the national heart and mind and conscience, stricken and bowed by a calamity whose pathos penetrates every household in Christendom, cries to these warning words, "Amen! Amen!"* Like the slight sound amid the frozen silence of the Alps that loosens and brings down the avalanche, the solitary pistol-shot of the 2d of July has suddenly startled this vast accumulation of public opinion into conviction, and on every side thunders the rush and roar of its overwhelming descent, which will sweep away the host of evils bred of this monstrous abuse.

This is an extraordinary change for twelve years, but it shows the vigorous political health, the alert common-sense, and the essential patriotism of the country, which are the earnest of the success of any wise reform. The war which naturally produced the lassitude and indifference to the subject which were evident twelve years ago had made reform, indeed, a vital necessity, but the necessity was not then perceived. The dangers that attend a vast system of administration based to its least detail upon personal patronage were not first exposed by Mr. Jenckes in 1867, but before that time they had been

* President Garfield died ten days after this address was delivered.—ED.

mainly discussed as possibilities and inferences. Yet the history of the old New York council of appointment had illustrated in that State the party fury and corruption which patronage necessarily breeds, and Governor McKean in Pennsylvania, at the close of the last century, had made "a clean sweep" of the places within his power. The spoils spirit struggled desperately to obtain possession of the national administration from the day of Jefferson's inauguration to that of Jackson's, when it succeeded. Its first great but undesigned triumph was the decision of the First Congress in 1789, vesting the sole power of removal in the President, a decision which placed almost every position in the Civil Service unconditionally at his pleasure. This decision was determined by the weight of Madison's authority. But Webster, nearly fifty years afterwards, opposing his authority to that of Madison, while admitting the decision to have been final, declared it to have been wrong. The year 1820, which saw the great victory of slavery in the Missouri Compromise, was also the year in which the second great triumph of the spoils system was gained, by the passage of the law which, under the plea of securing greater responsibility in certain financial offices, limited such offices to a term of four years. The decision of 1789, which gave the sole power of removal to the President, required positive executive action to effect removal; but this law of 1820 vacated all the chief financial offices, with all the places dependent upon them, during the term of every President, who, without an order of removal, could fill them all at his pleasure.

A little later the change in the method of nominating

the President from a congressional caucus to a national convention still further developed the power of patronage as a party resource, and in the session of 1825-26, when John Quincy Adams was President, Mr. Benton introduced his report upon Mr. Macon's resolution declaring the necessity of reducing and regulating executive patronage; although Mr. Adams, the last of the Revolutionary line of Presidents, so scorned to misuse patronage that he leaned backward in standing erect. The pressure for the overthrow of the constitutional system had grown steadily more angry and peremptory with the progress of the country, the development of party spirit, the increase of patronage, the unanticipated consequences of the sole executive power of removal, and the immense opportunity offered by the four years' law. It was a pressure against which Jefferson held the gates by main force, which was relaxed by the war under Madison and the fusion of parties under Monroe, but which swelled again into a furious torrent as the later parties took form. John Quincy Adams adhered, with the tough tenacity of his father's son, to the best principles of all his predecessors. He followed Washington, and observed the spirit of the Constitution in refusing to remove for any reason but official misconduct or incapacity. But he knew well what was coming, and with characteristically stinging sarcasm he called General Jackson's inaugural address, "a threat of reform." With Jackson's administration in 1830 the deluge of the spoils system burst over our national politics. Sixteen years later, Mr. Buchanan said in a public speech that General Taylor would be faithless to the

Whig party if he did not proscribe Democrats. So high the deluge had risen which has ravaged and wasted our politics ever since; and the danger will be stayed only when every President, leaning upon the law, shall stand fast where John Quincy Adams stood.

But the debate continued during the whole Jackson administration. In the Senate and on the stump, in elaborate reports and popular speeches, Webster, Calhoun, and Clay, the great political chiefs of their time, sought to alarm the country with the dangers of patronage. Sargent S. Prentiss, in the House of Representatives, caught up and echoed the cry under the administration of Van Buren. But the country refused to be alarmed. As the Yankee said of the Americans at the battle of White Plains, where they were beaten, "The fact is, as far as I can understand, our folks didn't seem to take no sort of interest in that battle." The reason that the country took no sort of interest in the discussion of the evils of patronage was evident. It believed the denunciation to be a mere party cry, a scream of disappointment and impotence from those who held no places and controlled no patronage. It heard the leaders of the opposition fiercely arraigning the administration for proscription and universal wrong-doing, but it was accustomed by its English tradition and descent always to hear the Tories cry that the Constitution was in danger when the Whigs were in power, and the Whigs under a Tory administration to shout that all was lost. It heard the uproar like the old lady upon her first railroad journey, who sat serene amid the wreck of a collision, and when asked if she was much

hurt, looked over her spectacles and answered, blandly, "Hurt? Why, I supposed they always stopped so in this kind of travelling." The feeling that the denunciation was only a part of the game of politics, and no more to be accepted as a true statement than Snug the joiner as a true lion, was confirmed by the fact that when the Whig opposition came into power with President Harrison, it adopted the very policy which under Democratic administration it had strenuously denounced as fatal. The pressure for place was even greater than it had been ten years before, and although Mr. Webster as Secretary of State maintained his consistency by putting his name to an executive order asserting sound principles, the order was swept away like a lamb by a locomotive. Nothing but a miracle, said General Harrison's attorney-general, can feed the swarm of hungry office-seekers.

Adopted by both parties, Mr. Marcy's doctrine that the places in the public service are the proper spoils of a victorious party, was accepted as a necessary condition of popular government. One of the highest officers of the government expounded this doctrine to me long afterwards. "I believe," said he, "that when the people vote to change a party administration they vote to change every person of the opposite party who holds a place, from the President of the United States to the messenger at my door." It is this extraordinary but sincere misconception of the function of party in a free government that leads to the serious defence of the spoils system. Now, a party is merely a voluntary association of citizens to secure the enforcement of a

certain policy of administration upon which they are agreed. In a free government this is done by the election of legislators and of certain executive officers who are friendly to that policy. But the duty of the great body of persons employed in the minor administrative places is in no sense political. It is wholly ministerial, and the political opinions of such persons affect the discharge of their duties no more than their religious views or their literary preferences. All that can be justly required of such persons, in the interest of the public business, is honesty, intelligence, capacity, industry, and due subordination; and to say that, when the policy of the government is changed by the result of an election from protection to free trade, every book-keeper and letter-carrier and messenger and porter in the public offices ought to be a free-trader, is as wise as to say that if a merchant is a Baptist every clerk in his office ought to be a believer in total immersion. But the officer of whom I spoke undoubtedly expressed the general feeling. The necessary evil consequences of the practice which he justified seemed to be still speculative and inferential, and to the national indifference which followed the war the demand of Mr. Jenckes for reform appeared to be a mere whimsical vagary most inopportunistically introduced.

It was, however, soon evident that the war had made the necessity of reform imperative, and chiefly for two reasons: first, the enormous increase of patronage, and second, the fact that circumstances had largely identified a party name with patriotism. The great and radical evil of the spoils system was carefully fostered by

the apparent absolute necessity to the public welfare of making political opinion and sympathy a condition of appointment to the smallest place. It is since the war, therefore, that the evil has run riot and that its consequences have been fully revealed. Those consequences are now familiar, and I shall not describe them. It is enough that the most patriotic and intelligent Americans and the most competent foreign observers agree that the direct and logical results of that system are the dangerous confusion of the executive and the legislative powers of the government; the conversion of politics into mere place-hunting; the extension of the mischief to State and county and city administration, and the consequent degradation of the national character; the practical disfranchisement of the people wherever the system is most powerful; and the perversion of a republic of equal citizens into a despotism of venal politicians. These are the greatest dangers that can threaten a republic, and they are due to the practice of treating the vast system of minor public places which are wholly ministerial, and whose duties are the same under every party administration, not as public trusts, but as party perquisites. The English-speaking race has a grim sense of humor, and the absurdity of transacting the public business of a great nation in a way which would ruin both the trade and the character of a small huckster, of proceeding upon the theory—for such is the theory of the spoils system—that a man should be put in charge of a locomotive because he holds certain views of original sin, or because he polishes boots nimbly with his tongue—is a folly so stupendous and gro-

tesque that when it is fully perceived by the shrewd mother-wit of the Yankee it will be laughed indignantly and contemptuously away. But the laugh must have the method, and the indignation the form, of law; and now that the public mind is aroused to the true nature and tendency of the spoils system is the time to consider the practicable legal remedy for them.

The whole system of appointments in the Civil Service proceeds from the President, and in regard to his action the intention of the Constitution is indisputable. It is that the President shall appoint solely upon public considerations, and that the officer appointed shall serve as long as he discharges his duty faithfully. This is shown in Mr. Jefferson's familiar phrase in his reply to the remonstrance of the merchants of New Haven against the removal of the collector at that port. Mr. Jefferson asserted that Mr. Adams had purposely appointed in the last moments of his administration officers whose designation he should have left to his successor. Alluding to these appointments, he says: "I shall correct the procedure, and that done, return with joy to that state of things when the only question concerning a candidate shall be, Is he honest? is he capable? is he faithful to the Constitution?" Mr. Jefferson here recognizes that these had been the considerations which had usually determined appointments; and Mr. Madison, in the debate upon the President's sole power of removal, declared that if a President should remove an officer for any reason not connected with efficient service he would be impeached. Reform, therefore, is merely a return to the principle and purpose of the

Constitution and to the practice of the early administrations.

What more is necessary, then, for reform than that the President should return to that practice? As all places in the Civil Service are filled either by his direct nomination or by officers whom he appoints, why has not any President ample constitutional authority to effect at any moment a complete and thorough reform? The answer is simple. He has the power. He has always had it. A President has only to do as Washington did, and all his successors have only to do likewise, and reform would be complete. Every President has but to refuse to remove non-political officers for political or personal reasons; to appoint only those whom he knows to be competent; to renominate, as Monroe and John Quincy Adams did, every faithful officer whose commission expires, and to require the heads of departments and all inferior appointing officers to conform to this practice, and the work would be done. This is apparently a short and easy and constitutional method of reform, requiring no further legislation or scheme of procedure. But why has no President adopted it? For the same reason that the best of Popes does not reform the abuses of his Church. For the same reason that a leaf goes over Niagara. It is because the opposing forces are overpowering. The same high officer of the government to whom I have alluded said to me as we drove upon the Heights of Washington, "Do you mean that I ought not to appoint my subordinates for whom I am responsible?" I answered: "I mean that you do not appoint them now; I mean

that if, when we return to the capital, you hear that your chief subordinate is dead, you will not appoint his successor. You will have to choose among the men urged upon you by certain powerful politicians. Undoubtedly you ought to appoint the man whom you believe to be the most fit. But you do not and cannot. If you could or did appoint such men only, and that were the rule of your department and of the service, there would be no need of reform." And he could not deny it. There was no law to prevent his selection of the best man. Indeed, the law assumed that he would do it. The Constitution intended that he should do it. But when I reminded him that there were forces beyond the law that paralyzed the intention of the Constitution, and which would inevitably compel him to accept the choice of others, he said no more.

It is easy to assert that the reform of the Civil Service is an executive reform. So it is. But the executive alone cannot accomplish it. The abuses are now completely and aggressively organized, and the sturdiest President would quail before them. The President who should undertake, single-handed, to deal with the complication of administrative evils known as the spoils system would find his party leaders in Congress and their retainers throughout the country arrayed against him; the proposal to disregard traditions and practices which are regarded as essential to the very existence and effectiveness of party organization would be stigmatized as treachery, and the President himself would be covered with odium as a traitor. The air would

hum with denunciation. The measures he should favor, the appointments he might make, the recommendations of his secretaries, would be opposed and imperilled, and the success of his administration would be endangered. A President who should alone undertake thoroughly to reform the evil must feel it to be the vital and paramount issue, and must be willing to hazard everything for its success. He must have the absolute faith and the indomitable will of Luther. "Here stand I; I can no other." How can we expect a President whom this system elects to devote himself to its destruction? General Grant, elected by a spontaneous patriotic impulse, fresh from the regulated order of military life and new to politics and politicians, saw the reason and the necessity of reform. The hero of a victorious war, at the height of his popularity, his party in undisputed and seemingly indisputable supremacy, made the attempt. Congress, good-naturedly tolerating what it considered his whim of inexperience, granted money to try an experiment. The adverse pressure was tremendous. "I am used to pressure," smiled the soldier. So he was, but not to this pressure. He was driven by unknown and incalculable currents. He was enveloped in whirlwinds of sophistry, scorn, and incredulity. He who upon his own line had fought it out all summer to victory, upon a line absolutely new and unknown was naturally bewildered and dismayed. So Wellington had drawn the lines of victory on the Spanish Peninsula and had saved Europe at Waterloo. But even Wellington at Waterloo could not be also Sir Robert Peel at Westminster. Even Wellington, who had overthrown Napo-

leon in the field, could not be also the parliamentary hero who for the welfare of his country would dare to risk the overthrow of his party. When at last President Grant said, "If Congress adjourns without positive legislation on Civil-Service reform, I shall regard such action as a disapproval of the system and shall abandon it," it was, indeed, a surrender, but it was the surrender of a champion who had honestly mistaken both the nature and the strength of the adversary and his own power of endurance.

It is not, then, reasonable, under the conditions of our government and in the actual situation, to expect a President to go much faster or much further than public opinion. But executive action can aid most effectively the development and movement of that opinion, and the most decisive reform measures that the present administration might take would be undoubtedly supported by a powerful public sentiment. The educative results of resolute executive action, however limited and incomplete in scope, have been shown in the two great public offices of which I have spoken, the New York custom-house and the New York post-office. For nearly three years the entire practicability of reform has been demonstrated in those offices, and solely by the direction of the President. The value of such demonstrations, due to the executive will alone, carried into effect by thoroughly trained and interested subordinates, cannot be overestimated. But when they depend upon the will of a transient officer and not upon a strong public conviction, they are seeds that have no depth of soil. A vital and enduring reform in administrative methods,

although it be but a return to the constitutional intention, can be accomplished only by the commanding impulse of public opinion. Permanence is secured by law, not by individual pleasure. But in this country law is only formulated public opinion. Reform of the Civil Service does not contemplate an invasion of the constitutional prerogative of the President and the Senate, nor does it propose to change the Constitution by statute. The whole system of the Civil Service proceeds, as I said, from the President, and the object of the reform movement is to enable him to fulfil the intention of the Constitution by revealing to him the desire of the country through the action of its authorized representatives. When the ground-swell of public opinion lifts Congress from the rocks, the President will gladly float with it into the deep water of wise and patriotic action. The President, indeed, has never been the chief sinner in the spoils system, although he has been the chief agent. Even President Jackson yielded to party pressure as much as to his own convictions. President Harrison sincerely wished to stay the flood, but it swept him away. President Grant doubtfully and with good intentions tested the pressure before yielding. President Hayes, with sturdy independence, adhered inflexibly to a few points, but his party chiefs cursed and derided him. President Garfield—God bless and restore him!—frankly declares permanent and effective reform to be impossible without the consent of Congress. When, therefore, Congress obeys a commanding public opinion, and reflects it in legislation, it will restore to the Presi-

dent the untrammelled exercise of his ample constitutional powers according to the constitutional intention, and the practical question of reform is, How shall this be brought about?

Now, it is easy to kill weeds if we can destroy their roots, and it is not difficult to determine what the principle of reform legislation should be if we can agree upon the source of the abuses to be reformed. May they not have a common origin? In fact, are they not all bound together as parts of one system? The representative in Congress, for instance, does not ask whether the interests of the public service require this removal or that appointment, but whether, directly or indirectly, either will best serve his own interests. The senator acts from the same motives. The President, in turn, balances between the personal interests of leading politicians—President, senators, and representatives all wishing to pay for personal service and to conciliate personal influence. So also the party labor required of the placeholder, the task of carrying caucuses, of defeating one man and electing another, as may be ordered, the payment of the assessment levied upon his salary—all these are the price of the place. They are the taxes paid by him as conditions of receiving a personal favor. Thus the abuses have a common source, whatever may be the plea for the system from which they spring. Whether it be urged that the system is essential to party organization, or that the desire for place is a laudable political ambition, or that the spoils system is a logical development of our political philosophy, or that new brooms sweep clean, or that any other system is un-American—

whatever the form of the plea for the abuse, the conclusion is always the same, that the minor places in the Civil Service are not public trusts, but rewards and prizes for personal and political favorites.

The root of the complex evil, then, is personal favoritism. This produces congressional dictation, senatorial usurpation, arbitrary removals, interference in elections, political assessments, and all the consequent corruption, degradation, and danger that experience has disclosed. The method of reform, therefore, must be a plan of selection for appointment which makes favoritism impossible. The general feeling undoubtedly is that this can be accomplished by a fixed limited term. But the terms of most of the offices to which the President and the Senate appoint, and upon which the myriad minor places in the service depend, have been fixed and limited for sixty years, yet it is during that very period that the chief evils of personal patronage have appeared. The law of 1820, which limited the term of important revenue offices to four years, and which was afterwards extended to other offices, was intended, as John Quincy Adams tells us, to promote the election to the presidency of Mr. Crawford, who was then Secretary of the Treasury. The law was drawn by Mr. Crawford himself, and it was introduced into the Senate by one of his devoted partisans. It placed the whole body of executive financial officers at the mercy of the Secretary of the Treasury and of a majority of the Senate, and its design, as Mr. Adams says, "was to secure for Mr. Crawford the influence of all the incumbents in office, at the peril of displacement, and of five

or ten times an equal number of ravenous office-seekers, eager to supplant them." This is the very substance of the spoils system, intentionally introduced by a fixed limitation of term in place of the constitutional tenure of efficient service; and it was so far successful that it made the custom-house officers, district attorneys, marshals, registers of the land-office, receivers of public money, and even paymasters in the army, notoriously active partisans of Mr. Crawford. Mr. Benton says that the four years' law merely made the dismissal of faithful officers easier, because the expiration of the term was regarded as "the creation of a vacancy to be filled by new appointments." A fixed limited term for the chief offices has not destroyed or modified personal influence, but, on the contrary, it has fostered universal servility and loss of self-respect, because reappointment depends, not upon official fidelity and efficiency, but upon personal influence and favor. To fix by law the terms of places dependent upon such offices would be like an attempt to cure hydrophobia by the bite of a mad dog. The incumbent would be always busy keeping his influence in repair to secure reappointment, and the applicant would be equally busy in seeking such influence to procure the place, and as the fixed terms would be constantly expiring, the eager and angry intrigue and contest of influence would be as endless as it is now. This certainly would not be reform.

But would not reform be secured by adding to a fixed limited term the safeguard of removal for cause only? Removal for cause alone means, of course, removal for legitimate cause, such as dishonesty, negligence, or inca-

capacity. But who shall decide that such cause exists? This must be determined either by the responsible superior officer or by some other authority. But if left to some other authority the right of counsel and the forms of a court would be invoked; the whole legal machinery of mandamuses, injunctions, certioraris, and the rules of evidence would be put in play to keep an incompetent clerk at his desk or a sleepy watchman on his beat. Cause for the removal of a letter-carrier in the post-office or of an accountant in the custom-house would be presented with all the pomp of impeachment and established like a high crime and misdemeanor. Thus every clerk in every office would have a kind of vested interest in his place because, however careless, slovenly, or troublesome he might be, he could be displaced only by an elaborate and doubtful legal process. Moreover, if the head of a bureau or a collector or a postmaster were obliged to prove negligence or insolence or incompetency against a clerk as he would prove theft, there would be no removals from the public service except for crimes of which the penal law takes cognizance. Consequently, removal would be always and justly regarded as a stigma upon character, and a man removed from a position in a public office would be virtually branded as a convicted criminal. Removal for cause, therefore, if the cause were to be decided by any authority but that of the responsible superior officer, instead of improving, would swiftly and enormously enhance the cost, and ruin the efficiency, of the public service, by destroying subordination, and making every lazy and worthless member of it twice as careless and incompetent as he is now.

If, then, legitimate cause for removal ought to be determined in public as in private business by the responsible appointing power, it is of the highest public necessity that the exercise of that power should be made as absolutely honest and independent as possible. But how can it be made honest and independent if it is not protected so far as practicable from the constant bribery of selfish interest and the illicit solicitation of personal influence? The experience of our large public patronage offices proves conclusively that the cause of the larger number of removals is not dishonesty or incompetency; it is the desire to make vacancies to fill. This is the actual cause, whatever cause may be assigned. The removals would not be made except for the pressure of politicians. But those politicians would not press for removals if they could not secure the appointment of their favorites. Make it impossible for them to secure appointment, and the pressure would instantly disappear and arbitrary removal cease.

So long, therefore, as we permit minor appointments to be made by mere personal influence and favor, a fixed limited term and removal during that term for cause only would not remedy the evil, because the incumbents would still be seeking influence to secure reappointment, and the aspirants doing the same to replace them. Removal under plea of good cause would be as wanton and arbitrary as it is now, unless the power to remove were intrusted to some other discretion than that of the superior officer, and in that case the struggle for reappointment and the knowledge that removal for the term was practically impossible would totally demoralize the

service. To make sure, then, that removals shall be made for legitimate cause only, we must provide that appointment shall be made only for legitimate cause.

All roads lead to Rome. Personal influence in appointments can be annulled only by free and open competition. By that bridge we can return to the practice of Washington and to the intention of the Constitution. That is the shoe of swiftness and the magic sword by which the President can pierce and outrun the protean enemy of sophistry and tradition which prevents him from asserting his power. If you say that success in a competitive literary examination does not prove fitness to adjust customs duties or to distribute letters or to appraise linen or to measure molasses, I answer that the reform does not propose that fitness shall be proved by a competitive literary examination. It proposes to annul personal influence and political favoritism by making appointment depend upon proved capacity. To determine this it proposes first to test the comparative general intelligence of all applicants and their special knowledge of the particular official duties required, and then to prove the practical faculty of the most intelligent applicants by actual trial in the performance of the duties before they are appointed. If it be still said that success in such a competition may not prove fitness, it is enough to reply that success in obtaining the favor of some kind of boss, which is the present system, presumptively proves unfitness.

Nor is it any objection to the reformed system that many efficient officers in the service could not have entered it had it been necessary to pass an examination;

it is no objection, because their efficiency is a mere chance. They were not appointed because of efficiency, but either because they were diligent politicians or because they were recommended by diligent politicians. The chance of getting efficient men in any business is certainly not diminished by inquiry and investigation. I have heard an officer in the army say that he could select men from the ranks for special duty much more satisfactorily than they could be selected by an examination. Undoubtedly he could, because he knows his men and he selects solely by his knowledge of their comparative fitness. If this were true of the Civil Service, if every appointing officer chose the fittest person from those that he knew, there would be no need of reform. It is because he cannot do this that the reform is necessary.

It is the same kind of objection which alleges that competition is a droll plan by which to restore the conduct of the public business to business principles and methods, since no private business selects its agents by competition. But the managers of private business are virtually free from personal influence in selecting their subordinates, and they employ and promote and dismiss them solely for the interests of the business. Their choice, however, is determined by an actual, although not a formal, competition. Like the military officer, they select those whom they know by experience to be the most competent. But if great business-houses and corporations were exposed to persistent, insolent, and overpowering interference and solicitation for place such as obstructs great public departments and officers,

they too would resort to the form of competition, as they now have its substance, and they would resort to it to secure the very freedom which they now enjoy of selecting for fitness alone.

Mr. President, in the old Arabian story, from the little box upon the sea-shore, carelessly opened by the fisherman, arose the towering and haughty demon, ever more monstrous and more threatening, who would not crouch again. So from the small patronage of the earlier day, from a Civil Service dealing with a national revenue of only \$2,000,000, and regulated upon sound business principles, has sprung the un-American, un-Democratic, un-Republican system which destroys political independence, honor, and morality, and corrodes the national character itself. In the solemn anxiety of this hour the warning words of the austere Calhoun, uttered nearly half a century ago, echo in startled recollection like words of doom: "If you do not put this thing down it will put you down." Happily it is the historic faith of the race from which we are chiefly sprung, that eternal vigilance is the price of liberty. It is that faith which has made our mother England the great parent of free States. The same faith has made America the political hope of the world. Fortunately removed by our position from the entanglements of European politics, and more united and peaceful at home than at any time within the memory of living men, the moment is most auspicious for remedying that abuse in our political system whose nature, proportions, and perils the whole country begins clearly to discern. The will and the power to apply the rem-

edy will be a test of the sagacity and the energy of the people. The reform of which I have spoken is essentially the people's reform. With the instinct of robbers who run with the crowd and lustily cry "Stop thief!" those who would make the public service the monopoly of a few favorites denounce the determination to open that service to the whole people as a plan to establish an aristocracy. The huge ogre of patronage, gnawing at the character, the honor, and the life of the country, grimly sneers that the people cannot help themselves and that nothing can be done. But much greater things have been done. Slavery was the Giant Despair of many good men of the last generation, but slavery was overthrown. If the spoils system, a monster only less threatening than slavery, be unconquerable, it is because the country has lost its convictions, its courage, and its common-sense. "I expect," said the Yankee as he surveyed a stout antagonist, "I expect that you're pretty ugly, but I cal'late I'm a darned sight uglier." I know that patronage is strong, but I believe that the American people are very much stronger.

VII

A YEAR OF REFORM

AN ADDRESS DELIVERED AT THE FIRST ANNUAL MEETING OF
THE NATIONAL CIVIL-SERVICE REFORM LEAGUE
AT NEWPORT, R. I., AUG. 2, 1882

In February, 1873, President Grant nominated Mr. J. L. Benedict as surveyor of customs at the port of New York. This nomination proposed the promotion of a man thoroughly qualified for the work which he was required to perform, and Mr. Curtis publicly hailed it as the beginning of a new era. Vigorous opposition was made to the confirmation of the nominee, and ere long the President substituted the name of General Sharpe, a name much more acceptable to the Senate, which body promptly approved of the selection.

The easy surrender of the President at this juncture, coupled with other circumstances of a kindred character, convinced Mr. Curtis that the fidelity and persistency of General Grant, absolutely essential to the establishment of the merit system, could not be relied upon. He sent in his resignation as a member of the Civil-Service Commission, and it was tardily accepted. The position was offered by the President to Mr. Frederick Law Olmsted, who declined it. It was subsequently accepted by Mr. Dorman B. Eaton. Mr. Eaton entered earnestly upon the work and labored faithfully, but the judgment of Mr. Curtis was verified by the event. The President, who in December, 1871, had said to Congress, in reference to the Civil-Service rules, "If left to me without further congressional action, the rules prescribed . . . will be faithfully maintained," asked the same body in December, 1873, to appoint a committee to confer with the Civil-Service Commission, "for the purpose of devising such rules as can be maintained." Congress having failed at that session to make an appropriation for the support of the Commission, in December, 1874, after reciting the opposition which had been manifested to the enforcement of the rules, and making a somewhat exaggerated statement of the difficulties involved, the President said to it, "Under these circumstances, therefore, I announce that if Congress adjourns without positive legislation on 'Civil-Service Reform,' I will regard such action as a disap-

proval of the system, and will abandon it." Congress again refused to make an appropriation, and in March, 1875, the President formally abandoned the system, and gave orders for the abolition of the examining boards throughout the country.

This action, discouraging as it was, did not one whit diminish Mr. Curtis's confidence in the ultimate success of the movement. He could only think and write of it as a postponement. The education of the public went on. The contest over the appointment of Mr. Simmons to the Boston collectorship did much to enlighten opinion. General Butler's various political campaigns also did much on account of the criticism which they evoked. The Republican platform of 1876, after the manner of political platforms, contained a strong plank upon the subject. Upon that platform President Hayes was elected, and in his letter of acceptance he said that the reform should be "thorough, radical, and complete," and this sentiment he reiterated in his inaugural address. In making up his Cabinet he appointed Mr. Carl Schurz Secretary of the Interior. In some departments competitive examinations were again instituted, and this was notably the case in the Department of the Interior, where Mr. Schurz established and maintained such examinations during the whole period of his incumbency, thus giving a most valuable illustration of the practicability and usefulness of the system.

On June 22, 1877, less than three months after his inauguration, the President issued an executive order, in which he said "no officer should be required or permitted to take part in the management of political organizations, caucuses, conventions, or election campaigns. Their right to vote or to express their views on public questions, either orally or through the press, is not denied, provided it does not interfere with the discharge of their official duties. No assessment for political purposes on officers or subordinates should be allowed. This rule is applicable to every department of the Civil Service. It should be understood by every officer of the general government that he is expected to conform his conduct to its requirements." In his message in December, 1877, he asked Congress to renew the appropriation for the support of the Civil-Service Commission. This request Congress refused, while Republican senators and representatives vigorously denounced the reform.

Following a suggestion from Mr. Eaton himself, he was requested by the President to visit England, and make a study of the system of examinations and appointments in use in that country. This visit Mr. Eaton made at his own expense, subsequently publishing the result of his researches in the valuable storehouse of facts entitled "Civil Service in Great Britain."

Before his departure, however, in May, 1877, upon his invitation several gentlemen met together in New York and organized the "Civil-Service Reform Association," for the purpose of promoting a knowledge of and interest in the reform. At first the association met frequently, but as the winter drew on serious differences arose over the irregularities in the President's manner of treating the service, and the inconsistency of certain of his appointments with his previously announced views. These differences became irreconcilable, and in May, 1878, the association adjourned *sine die*, to meet at the call of the chair.

In January, 1879, Collector Arthur and Naval Officer Cornell, of the New York custom-house, were suspended from office by the President on the ground that they had "been for several years engaged in the active personal management of the party politics of the State of New York," and General Merritt and Colonel Burt were appointed to succeed them. The President's instructions to the new collector were to "let appointments and removals be made on business principles and by fixed rules." The new naval officer had been the chairman of the examining boards at New York under the original rules for the Civil Service adopted in 1872, and he was directed by the President to supervise the revival of the application of these rules to the whole customs service of the port. In undertaking this task Colonel Burt immediately invoked the sympathetic aid of his former chief, and Mr. Curtis actively and gladly responded. A little later the operation of the rules was extended to the New York post-office, under Mr. James, and the demonstration of the nature of a practical system of competitive examinations exhibited in these offices was of the utmost value.

Especially is this true of the work in connection with the custom-house, where Colonel Burt took the greatest pains to secure the attendance of editors, the clergy, and others who could readily command a hearing by the public, Mr. Curtis being in

almost daily attendance to explain methods and to remove difficulties.

With growing knowledge upon the part of the people, and increasing political independence, much stimulated by the "scratching" campaign of 1879 in New York, the prospect of maintaining an effective non-partisan organization became so favorable that the slumbering Civil-Service Reform Association was aroused, and held a meeting in September, 1880, for the purpose of reorganization. The Rev. Dr. Bellows, then president, in the most cordial manner withdrew in favor of a layman, and, General Bristow having been nominated and having declined, Mr. Curtis was unanimously selected for the position which he so effectively filled to the day of his death.

Other organizations of a similar character rapidly sprang into existence, and in August, 1881, the National Civil-Service Reform League was formed at Newport, R. I., to unite these bodies for concerted action. Of this league Mr. Curtis was the inevitable president by common consent, and none who heard his words at the close of the meeting then doubted more than he the end of the work thus entered upon: "We have laid our hands on the barbaric palace of patronage, and begun to write on its walls 'Mene, mene!' Nor, I believe, will the work end till they are laid in the dust."

WILLIAM POTTS.

A YEAR OF REFORM

IN welcoming you to the first annual meeting of the National Civil-Service Reform League, I congratulate you upon the bright prospects of the cause. We may well call the last year the year of national awakening upon the subject. After a desultory debate, constantly increasing in interest and importance and extending through fifteen years, or since the first report of Mr. Jenckes in 1867, the assassination of President Garfield,* like a sudden flash of electric light, revealed the nature and the peril of the spoils system to the whole country. The popular verdict upon that tragical event was prompt and just. Except for a factional quarrel, produced wholly by the strife for patronage or spoils, the President would not have been murdered. His death has fixed general public attention upon the character and tendency of abuses of administration inherent in the present system of appointment and removal in the subordinate Civil Service, abuses which have been rapidly developed since the war. The awakening of interest is half the victory. For when once the shrewd

* Mr. Garfield was shot July 2, 1881, and died Sept. 19.

and good-natured American mind clearly perceives a political evil, its correction has already begun.

No prominent public man in the country saw the danger of the spoils system more plainly than the late President. No man felt more deeply the necessity of reform, and in his inaugural address he announced his intention of asking Congress to fix the tenure of the minor offices and to prescribe the grounds of removal. His position, however, was one of extreme difficulty. He was a strong partisan, and he had been elected by a party in which, as in both the great parties, the evil tradition was very powerful. The general opinion of his party would not have supported a radical reform, as the experience of his predecessor had shown, and his official action was closely restrained by the Constitution. The President felt, doubtless, that he held power in trust for a party and for a general policy upon which it was agreed, and that he was bound in honor not to imperil that policy. He knew, indeed, that the convention which nominated him, like previous conventions of all parties, had adopted a declaration of reform. But he knew also the significance of such declarations. They are meant to be polite bows to the whims of notional brethren, which, it is hoped, will pacify them without committing the party. Robert Owen said that when he waited on Prince Metternich to unfold to him his scheme of a new civilization, the prince listened attentively, shook his head gravely, and remarked impressively, "Mr. Owen, your interesting suggestions merit the most serious attention"—and then rang for the servant to show the philanthropist the door.

But President Garfield shared the conviction to which the platform bowed. He knew that it was a deep and growing sentiment. He was no more afraid of the word reformer than of the word patriot, and he knew also when the word reform is synonymous with the truest patriotism. Trusting his countrymen, he foresaw their approval and support of a vigorous reform of abuses. A strong partisan, he was yet a stronger man, and a strong man uses a party and is not used by it. Americans love vigor and courage. That is the sole secret of Andrew Jackson's popularity. Garfield knew and had proved, both in military and political life, that a brave leader makes brave followers, and that the men who complacently call themselves practical statesmen are generally cowardly political hucksters. With all his amiability and love of peace, his sense of duty was supreme and he was at heart a hero. Doubtless his temperament, his sense of party necessity, and the conditions of the chief executive office, would have made his action inconsistent. But doubtless, also, his strong hand would have brought the ship to the true course, even had he been unable to bring her into port.

" Death takes us by surprise,
And stays our hurrying feet :
The great design unfinished lies ;
Our lives are incomplete."

President Arthur, who succeeded Garfield, brought to the duties of the office a similarly amiable temper and a sincere patriotism ; but he was politically identified with the spoils system, and he undoubtedly honestly regarded it as the basis of effective party organization.

Yet, that he was deeply impressed by the demand for reform, and that he was aware of its increasing significance, is shown by his first message to Congress, in which he discusses the subject more elaborately than any of his predecessors. His arguments against the competitive system of minor appointment prove that in his judgment it had become a serious public question. He pledged his earnest support to it, should Congress establish it, and in any event he urgently recommended an appropriation of \$25,000 to enforce section 1753 of the Revised Statutes, the section under which the present Civil-Service Commission was established, of which Mr. Eaton is chairman; and he further pledged himself to observe the provisions of the law both in letter and spirit. The competitive system which had been recommended in pursuance of that law had been successfully applied, under the administration of President Hayes, to appointments in the Interior Department and in the two chief offices of their kind in the country, the custom-house and the post-office in New York city; and the system established in these two offices has not yet been disturbed under the present administration. But it has not been extended elsewhere, nor has the general course of the administration shown that it approves the reformed system.

On the 7th of July last, Mr. Butterworth of Ohio made a statement in the House of Representatives in regard to executive appointments and removals which is understood to be official. From this statement it appears that during the nine months of his official term the President has made 874 appointments and 49 removals.

Assuming the removals to have been made for legitimate cause, such as dishonesty, incompetency, negligence, or similar reasons, there have been 825 appointments to vacancies arising from expiration of the term. It is obviously a cardinal principle of efficient service that the mere expiration of a term shall not be equivalent to dismissal. Under a system of appointment by favor, such an understanding would result in concentrating the energy and time of an incumbent, not upon the duties of his place, but upon securing reappointment. The mere expiration of term cannot affect the incumbent's qualifications. Not to appoint an honest and competent officer to a position which is in no sense whatever a political position is virtually to remove him. Mr. Butterworth's figures show that of 825 officers whose terms, generally of four years, have expired, the President has reappointed 428 and has not reappointed 397. The conclusion from this authoritative statement is inevitable. Nearly half of the late incumbents have not been reappointed. Either, therefore, half of the number were unfit for their places, or 397 out of 825 officers, being fit for their places, have been practically removed. If the former supposition be correct, that nearly half of the officers appointed under the present system are found at the end of a few years to be unfit for their places, it is a conclusive condemnation of that system of appointment as utterly inadequate and disgraceful. Or, if the latter supposition be correct, and 397 out of 825 officers have been removed, not because they are unfit, obviously some other reason than the welfare of the service has caused the removals.

In either case, by the authoritative showing of Mr. Butterworth, the present system stands condemned either as admitting nearly fifty per cent. of unfit officers into the service, or as displacing for political or personal or private reasons the same proportion of honest and efficient public servants.

All of these officers, you will observe, are of a grade to whose appointment the consent of the Senate is necessary. Every one of them has more or fewer dependants, and if there be an average number of ten dependants upon each officer, the 397 who have been removed carry with them at once nearly 4000 persons. Now, changes in important offices cannot be made, even from one honest incumbent to another, without serious loss to the public, arising from the inexperience of the new officer. Rotation in such offices for the sake of rotation is, generally, ravage of the public treasury. An official report on the Internal Revenue Department some years since showed that one instance of the political substitution of an inexperienced for an experienced officer cost the country in a single district \$300,000 in the falling off of the revenue. The President said in his letter of acceptance of the nomination to the Vice-Presidency, and repeated in his message to Congress, that the tenure of office should be stable, and that in the main the public business should be conducted upon the general principles that regulate private business. Assuming his fidelity to the principle he has announced, he has found it necessary to dismiss nearly fifty per cent. of the officers whose terms had expired. The public loss necessarily resulting from such a vast pro-

portion of dismissals is evident. No great private business would tolerate such changes. The President's action upon the principles that he has laid down proves incontestably the absolute necessity of radical reform.

During the year, at the opening of the session of Congress, the late postmaster-general* — and a more efficient and experienced officer has never presided over that department — bore testimony to this necessity. The postmaster-general is the head of the great patronage department of the government. The late incumbent had had long experience in high positions in the postal service. He had tested the reformed system, and he declared without qualification the urgent desirability of its adoption. On the 6th of December last Mr. Pendleton introduced again into the Senate the bill which bears his name, and on the 24th of January Mr. Dawes brought in another bill, looking to the same general result of substituting merit for favor in minor appointments. Mr. Pendleton introduced also a bill prohibiting political assessments. All the bills were referred to a committee of which Mr. Hawley is chairman. Under his energetic direction the committee collected a vast store of valuable information, among which I may mention as of especial importance the testimony of Postmaster Pearson and of Naval-officer Burt, describing in the clearest and most satisfactory manner all the details and results of the reformed methods pursued in the New York custom-house and post-office. This testimony is an ample and conclusive refutation from

* Mr. James.

official experience of the merely theoretical, sentimental, and ignorant assertions made in Congress respecting the nature and operations of the reformed system. On the 15th of May the committee reported the Pendleton bill, somewhat amended, to the Senate. The report was a concise statement of the salient evils of the spoils system and a sketch of the movement for reform, and the appendix contained all the testimony taken by the committee. Senator Dawes, for the minority, dissented from the report, in favor of his own bill. As yet there has been no general debate and no action upon the subject in the Senate. But the interest of the committee and the speeches of Senators Pendleton and Dawes, agreeing in their general view of the evil and of the objects to be sought by reform, and differing only upon details of method, show, I hope, that the friends of reform will not be divided in the moment of action.

In the House of Representatives the treatment of the subject shows how ludicrously unconscious members of Congress may be of the tendency and force of public opinion. At the beginning of the session a select committee on reform in the Civil Service was appointed. After deliberating several months this committee reported a bill to enlarge the powers and duties of the Department of Agriculture. But to reform in the Civil Service, although carefully-drawn bills were referred to it, the select committee furnished only the contemptuous sneers of some of its own members. Early in the session, Mr. Willis of Kentucky introduced a bill prohibiting political assessments, which in the last days of the session he advocated in a singularly lively and effec-

tive speech. The question indeed was not considered until the final debate upon the sundry civil appropriation bill. The President's party controls the House. The President had asked "urgently" for an appropriation of \$25,000 for the Civil-Service Commission. The appropriation bill was at last reported. The sum of \$1000 was allowed for "lycopodium"; \$75,000 for the observation of the transit of Venus; \$115,000 for "the introduction of gourami and other useful fish-foods"; \$180,000 for the magnetic map of Western North America. Various grants of the bill amounted to \$23,680,865, but that sum did not include a single dollar of the \$25,000 which the President had "urgently" recommended to his party friends for the purpose of promoting administrative reform. During the general debate in committee of the whole, various amendments looking to that end were offered by the opposition, and they were lost. At length an amendment appropriating the specific sum asked by the President was moved by one of his party friends. It was contemptuously opposed by others, whose sneers served only to reveal their amusing and complete ignorance of the subject upon which they were legislating, and the President's party refused his request. The amendment was renewed by a political opponent of the President and for a sum of \$15,000. The President's party laughed and jeered. But after ridiculing, as well as they could, a subject which is felt by the most intelligent and patriotic citizens to be of the highest importance, the President's party contemptuously permitted a grant of three fifths of the pittance for which he had

“urgently” asked. This is the sole action of the House of Representatives upon this subject. This is the record upon which the leaders of the dominant party think it wise to go to the country which is thoroughly alive to the necessity of reform. I trust that this National League will recommend to all the Civil-Service Reform Associations in the country to ascertain the position of every candidate for Congress in their several States upon this question, to announce that position to the voters plainly, and to urge every citizen who desires reform to support, without regard to his party sympathy, only those candidates whom he believes to be honestly resolved to secure it.

In singular contrast with the amazing apathy and ribaldry of Congress, the petitions that were presented from every part of the country, the organization of reform associations, and the wide discussion in the press showed the general and increasing interest of the public mind in the question. On the 27th of December, 1881, the New York association called the attention of the Secretary of the Treasury to the violation by Gen. N. M. Curtis, an employé of the government, and treasurer of the New York Republican Committee, of the law which prohibits certain employés of the government from asking, giving to, or receiving from certain other employés money for political purposes. The secretary replied that General Curtis's employment would cease with the month of February, and that without deciding the question of misdemeanor he had referred the papers to the district attorney. Upon evidence furnished by the association an indictment was drawn, but

owing to the inability of the district attorney to ascertain the name of General Curtis it was quashed. The association pressed for a new indictment, and after an effort of General Curtis's counsel to evade the issue by trivial and technical excuses, General Curtis was convicted in the United States Circuit Court on the 25th of May. His counsel appealed in arrest of judgment, upon the ground of the unconstitutionality of the law. But on the 20th of July the full bench of the Circuit Court of the United States, by a unanimous opinion, lucidly and conclusively affirmed the constitutionality of the law, and the question will be now carried to the Supreme Court.

This trial and the consequent general discussion by the press exposed the gross wrong and peril of party political assessments upon persons employed by the government, and disclosed the agreeable fact that public sentiment was singularly sound upon the subject. The Philadelphia Association had respectfully called the attention of the President to the abuse and requested his interference, but without result. The indignant attention of the whole country, however, was immediately called to it. During the spring a number of members of Congress belonging to the same political party and, without authority from that party, calling themselves a Congressional Committee, issued circulars to postmasters and other employés of the government, of every class, assessing a tax of two per cent. or other specified sums upon the amount of their salary and wages. The persons assessed included day-laborers in navy-yards, workmen upon the government works, messenger-boys, women clerks, hostlers, matrons, Indian

assistants, nurses, laundresses, washerwomen, and scrubbing women, in Indian training-schools and public offices. This committee cast a drag-net over the whole Civil Service. They combed it with an iron comb. Webster, speaking fifty years ago of an inquisition for spoils, did not dream of a search so remorseless and rapacious. The mean terror of the spoils system never touched so low a depth of degradation, and at no abuse of the power of patronage was the country ever more justly indignant.

On the 17th of June, the New York Association issued a circular to the same employés reminding them that they were liable to fine and dismissal should they comply. Mr. Jay A. Hubbell of Michigan, the chairman and treasurer of the committee, thereupon wrote a letter to the New York Association declaring that its counsel had misstated the law, either misunderstanding or perverting it, and professing his willingness to take any form of action in any tribunal to test the soundness of his circular. The association immediately proposed to make a test case, to be designated by Mr. Hubbell himself. After some delay Mr. Hubbell replied that such a course would be dishonorable for him; that, as a member of Congress, he was not amenable to the law—which the association had not asserted—that he asked only for voluntary contributions; that no employé had ever been dismissed for declining to give; and that to cripple the action of his committee—that is, to warn the assessed employés that under the law they took the risk of dismissal if they paid—was to become the most efficient ally of Southern bulldozers.

Suddenly thrown upon their defence by public indignation, the leading members of the committee have echoed their chairman's assertion that the circular asked only for voluntary contributions. But it is because such payments are justly held not to be voluntary that they are prohibited by law. "It is generally true," says Webster, "that he who controls another man's means of living controls his will." Macaulay furnishes a quaint illustration of Webster's remark. When James II. issued an order, a customs officer remarked that he had fourteen reasons for obeying his majesty's command—a wife and thirteen young children. I have known men in our own Civil Service who received orders to vote against their wishes, and who said to me frankly, "To disobey would be to take the bread from the mouths of our families." The law which forbids payment of political assessments by an employé of the government to an officer of the government merely expresses the universal conviction that when persons who can dismiss a subordinate without assigning any reason whatever ask him to pay a specified percentage of his wages to promote a cause in which they tell him that he is as much interested as they are, and when they dun him sharply and insolently for payment, he is virtually threatened, and his compliance is no more voluntary than that of the traveller upon the highway who gave up his purse to Dick Turpin. Those who ask free gifts do not demand a purse at the point of a pistol. Those who solicit voluntary contributions do not specify the amount, nor require them as a due, nor threaten to report non-payment as a delinquency.

The demand is addressed to the office-holders and not to other citizens, for the very reason that it is known that the office-holders will not feel at liberty, like other citizens, to refuse. Indeed, the argument is often urged that they owe their places to the party and that they ought to pay willingly to help the party. But this is not asking a voluntary contribution, this is simply selling an office. There are plenty of rich men in Mr. Hubbell's party. But no circular was ever sent to them demanding a payment of two per cent. upon their incomes. There are gallant officers of the army and navy, but no politician dares to assess them two per cent. upon their pay, to be spent without account by an irresponsible committee. The character and tone of all these circulars; the fact that they are issued by political committees, and are addressed only to employes appointed and removable by political influence; the specification of a percentage and of a certain sum; the description of the payment as a due; the peremptory reiteration of the demand; the threat of reporting delinquents to a superior official authority; the methods of collection; the universal understanding of the recipients of the circular that there is serious risk in refusing to pay—all of which facts are proved beyond question, show indisputably that what is called a request for a voluntary contribution is an assessment levied under a virtual threat of dismissal. This is so notorious that every man who is familiar with practical politics laughs at the assertion that the money so obtained is a free gift.

Mr. Hubbell and the members of his committee declare that nobody has ever been dismissed from the

public service for refusing to pay the party assessment. But in saying this they assert what they cannot possibly know, because it is not necessary to assign reasons for the removal of the subordinates to whom the circular is addressed. They are dismissed without reasons alleged, and if it were necessary to state a cause, pretended reasons would not be wanting. A distinguished senator, a member of Mr. Hubbell's committee, said in the Senate that of 100,000 persons to whom the circular of 1880 was sent only about 11,500 responded affirmatively, and he challenged the production of the name of a single person who had been dismissed for declining to pay. But in the nature of the case such a name cannot be produced, because such a reason is never given. Every one of the 100,000 probably received a similar summons from State and district and local committees. Does the senator know how many responded? Can he possibly know that the 90,000 who did not respond to Mr. Hubbell were equally obdurate to the other demands? Does he know that the 11,500 who did respond to Mr. Hubbell did not also give to the other extortioners? Does he not know that men receiving \$1000 a year have been required in some years to pay assessments of six per cent. of their salaries? Neither the senator nor any one else, except the superior officer, can know how many removals have been made in consequence of refusal to pay. He is aware, not only that subordinates are dismissed without alleging reasons, but also that certain reasons are never alleged. What, for example, could be more contemptible than to dismiss an honest and efficient clerk from the public service be-

cause an influential politician wishes his place for a parasite of his own? Yet I have known, and perhaps the senator has known, such removals to be made. But I never knew such a reason to be assigned for a removal.

To protest against political assessments of this kind is not to deny that great public objects can be attained by the good understanding and thorough organization of those who desire them. Every man, whether in the public service or not, is at perfect liberty to give what he chooses for the just expenses of an election. But, for obvious reasons which I have stated, certain officers of the government are forbidden to give to each other. The attorney-general has given an opinion that among these officers members of Congress are not included. Upon this point, however, a judicial opinion will doubtless be asked. But while really voluntary contributions are not forbidden, the collection of an enormous election fund is not only unnecessary, it is dangerous and suspicious. The honest and legitimate election expenses of any district in the country are not large, and the dishonest use of money at elections, the tendency to select rich men as candidates for office, has become so general and threatening that it is the duty of all good citizens resolutely to oppose it. The corruption of elections by money must cease, or the government will become an oligarchy of rich men. Free elections are the cornerstone of the republic. But they cease to be free, not only when the voter is bought, but when the necessary cost of elections is not a perfectly free gift. The people of the United States will pay willingly all the necessary

expenses of a party which represents a policy that they approve. But whenever a party must be sustained by forced loans, by assessments, by extortion and virtual robbery, it is a party which has lost the confidence of the country. It represents the popular will no longer. It maintains its ascendancy by illicit means, and it has become a public peril which all patriotic citizens should combine to remove.

But of the crime against the country for which we arraign the spoils system the iniquity of political assessments is only a single evil result. These assessments breed the dangerous suspicion in the public mind that the party in power carries the election, not by the unbought assistance of its friends, but by a corruption fund drawn from the public treasury in the form of robbery of wages of the office-holders. The determination of the Presidential election is confessedly the weakest part of our political system. But to persist in throwing doubt upon the honesty of the vote is to persist in invoking anarchy. To terrorize government employés in order to raise money to suppress political terror elsewhere is—to apply language which has been applied to us—to bulldoze one class of citizens to prevent the bulldozing of another. The accumulation of a vast official corruption fund for the elections is a danger possible only under a system of appointments and removals in the Civil Service by personal intrigue, influence, and favor. To destroy this growing peril; to remove this fatal distrust of a party in power; to restore parties to their normal and proper function; to emancipate the Civil Service from the degradation inseparable from a tenure of per-

sonal favor; to restore equal rights to every citizen whether in office or out of office, and to promote in the highest degree the economy and efficiency of administration—this is the purpose of the National Civil-Service Reform League and of the local associations which compose it.

This glance at a triumphant year would be incomplete if I omitted to mention the reform movement in Pennsylvania. The facts are familiar. Resolved to overthrow an ignominious despotism, which has long subjugated one of the great political parties in that State, a large portion of the party has made independent nominations. Their protest is against "bosses" and "machines." But knowing that these are only the result of the evil system which bases party organization, not upon a common conviction and purpose, but upon patronage and spoils, they denounce that system as fatal to popular government, and demand the reform which it is the object of this league to secure. Rejecting specious offers of compromise which would have been surrender, they have appealed to the manly self-respect of American citizenship and await the issue. The serious significance of this movement is that it involves a party defeat by members of the party. That is to say, in one of the great States, whose vote may well decide a national election, party defeat is preferred by half the dominant party, or by the balance of power in that party, to the yoke of the spoils despotism which has recently overpowered it. This fact is of the highest political importance. When an issue of general interest divides a party in one State, the results cannot be

confined to that State. It is a fire that will spread over the country. The recent significance of parties is disappearing. They now cohere largely by the mere force of tradition. But here is a fresh and vital question commanding the conviction and enthusiasm of young men, the hearty approval of older men, and the earnest support of the most intelligent press throughout the country. Like the giant of classic fable, it shakes the mountain. If the question is strong enough to rive asunder the dominant party in one State, it is strong enough to threaten parties in every State. The movement in Pennsylvania is a sign of the general consciousness that new issues are arising. It shows that the intelligence of the country already craves a more inspiring political music than the cackling of old party hens over stale eggs. Guides blind to the sunlight are not guides for alert and early travellers.

Political parties indeed cannot be improvised, but it is easy to see tendencies and to forecast results. What Sir James Mackintosh said of constitutions is true of parties: they grow, they are not made. The Abbé Sièyes proposed a new constitution every few days in the French revolutionary convention, but they were all worthless. Time is the great ally and patience the cardinal virtue of political progress. But if parties cannot be improvised, it is possible both to see them growing and crumbling. I saw a party which elected a President in 1848 dissolve and disappear before 1858. Indeed, this is a moment and a situation in which our political history is very suggestive. Thirty years ago the Conscience Whigs and the Free-soil Democrats each

hoped that their party would take the true American, patriotic, humane, and progressive position upon the question which had thrust aside banks and sub-treasuries and tariffs, and had become in the popular heart the paramount question of the time. Each hoped that their party would become the antislavery party. In New York Mr. Bryant and his Democratic friends had protested against the annexation of Texas. In Massachusetts Mr. Sumner had adjured Mr. Webster, the Whig Jupiter, to add to his great title, Defender of the Constitution, the greater title, defender of humanity. Protest and adjuration were in vain. The country had fallen wounded by the way, and the Pharisee and the Levite passed by on the other side. But humanity and liberty, which the party leaders spurned, were still precious to the people. After vain hopes and endeavors and delays, Mr. Bryant and Mr. Sumner clasped hands, and Conscience Whigs and Free-soil Democrats blended in a new and triumphant party. These are the treasures of experience and instruction that are stored in "history's golden urn." When once an object commends itself to the judgment and conscience of the American people, parties may oppose as a bull may run at a locomotive. So much the worse for the bull. There is no profounder conviction in the public mind to-day than that of the demoralization and danger inherent in the spoils system. The movement in Pennsylvania indicates that if parties do not adjust themselves to this conviction, this conviction will reconstruct parties.

I end as I began. Never since the first distinct movement of reform was its progress so rapid as during

the past year, or its prospects so fair as at this moment. We are happily and fitly assembled in Rhode Island, the State which was partly represented in Congress by Thomas Allen Jenckes, the pioneer of the reform. In the very darkness before the dawn his voice was heard, as confident and cheerful as our voices now when the sun is rising. Mr. Jenckes powerfully and vigorously and alone opened the debate in Congress fifteen years ago. He drew the amendment to the appropriation bill of 1871, which became law by the efficient aid of Mr. Dawes of Massachusetts and Mr. Armstrong of Pennsylvania, and under which the Civil-Service Commission was appointed. Mr. Jenckes placed at its disposition all his correspondence with the English commission, and by his experience, thorough knowledge, fertility of resource and suggestion, and great legal ability, he continued to serve with as much efficiency as modesty the cause to which he was devoted. It is an especial pride and pleasure for me, also a son of Rhode Island, to recall to your remembrance that unselfish patriotism, and to imagine the pleasure with which Mr. Jenckes would have welcomed us here amid the hopes and promises of to-day. So slight was the interest in the subject when he introduced it, and so limited was the general knowledge of it, that it was thought hardly worth while to denounce him. But the angry insolence of the spoils system that we behold, like the fierce roar of a monster driven to his den, shows its consciousness that the battle has begun in earnest. It has begun—the battle between the most dangerous abuses of administration and the patriotic good sense of the country. Gentlemen,

there is no more doubt of the issue than there is of the justice of our cause. If any man is dismayed by the uproar let him recall a story of the war. In the midst of a battle a sudden sharp shout rang out from the enemy's line, and a young Union soldier who was in his first fight turned to his comrade and asked what it was. "That," cried his comrade, "that's the rebel yell. Does it frighten you?" "Frighten me!" said the young soldier, as he pressed more eagerly forward, "frighten me! It is the music to which I march." Gentlemen, when the enemy's yell is the music to which the soldier marches, he marches to victory.

VIII

THE PROGRESS OF REFORM

AN ADDRESS DELIVERED AT THE SECOND ANNUAL MEETING
OF THE NATIONAL CIVIL-SERVICE REFORM LEAGUE,

HELD AT NEWPORT, R. I.,

AUG. 1, 1883

THE PROGRESS OF REFORM

TWO years ago a conference of friends of reform in the Civil Service was held in this place. The conference organized this National League and passed the following resolution :

Resolved, That the bill introduced in the Senate by Mr. Pendleton of Ohio provides a constitutional, practicable, and effective measure for the remedy of the abuse known as the spoils system, and that the associations represented in the conference will use every honorable means, in the press, on the platform, and by petition, to secure its passage.

That resolution was adopted on the 11th of August, 1881. On the 16th of January, 1883, upon the earnest recommendation of the President and by overwhelming majorities in Congress, the Pendleton bill became a law, and on the 16th of July, 1883, amid the general applause of the country, it went into effect. If the year which ended at our last annual meeting could be truly called the year of awakening, that which ends to-day may be as truly described as the year of achievement. I doubt if any reform of similar scope and importance has ever commended itself more rapidly to public approval, and nothing could more fully justify confident and patient reliance upon a persistent and reasonable appeal to public opinion than the progress of this movement.

When we met here a year ago Congress was still in session. The Pendleton bill had been reported to the Senate, but no action had been taken. The House of Representatives, with ribald sneers at the project of reform, had contemptuously granted the President three fifths of the pittance which he had "urgently" asked to enable him to continue efforts of reform which had been begun. The record of the proceedings upon this subject in the House of Representatives last summer is one of the most disgraceful passages in the history of Congress. Members not only ridiculed the suggestion of reform in administrative methods, but they summarily swept aside the President's veto of extravagant appropriations. At the annual meeting of the league, in speaking of the conduct of certain members of Congress I ventured to say that they were singularly ignorant of the tendency and force of public opinion, and that reckless defiance of public intelligence was a perilous record upon which to go to the country. The issue was plainly made and an appeal taken at the polls. The result of the election was startling and impressive. The most conspicuous enemies of reform were dismissed by their constituents from the public service, and, although it is not always easy precisely to define the significance of a general election, it was universally conceded that, whatever else the result might mean, it was a clear and decisive demand of the country for Civil-Service reform. The response of Congress was immediate, and never was the flexibility of a popular system more signally displayed.

The Congress which had adjourned in August laugh-

ing at reform, heard the thunder of the elections in November and reassembled in December. If the members had been draped in sheets and had carried candles, they could not have worn a more penitential aspect. On the 4th of December the President sent in his message. He frankly urged the passage of the Pendleton bill or of some other equally effective measure, and promised his hearty co-operation in enforcing it. On the same day, in the House, Mr. Kasson introduced a bill for the better regulation of the Civil Service; Mr. Herbert, a bill to prohibit political assessments; Mr. Hiscock, a resolution to facilitate the range of a general reform bill; and the rules of the House were suspended in order to direct the Committee upon Reform to report at any time. Nothing could restrain the righteous zeal for reform. On the 6th a stringent inquiry was proposed by Mr. Beck in the Senate into the system of political assessments. On the 7th additional copies of the Pendleton bill, for which, it was stated, there "is much call," were ordered printed. On the 9th the Committee of the House of Representatives on Reform in the Civil Service reported what was known as the Kasson bill as a substitute for the Pendleton bill. On the same day in the Senate, in reply to an inquiry, Mr. Pendleton said that he proposed to make his bill a special order for the 11th. During all these days the debate upon the political assessments was proceeding in the Senate, and upon this day, the 9th, a comprehensive and effective bill prohibiting such assessments under severe penalties was introduced by Mr. Hawley, and was referred to the Committee on Civil Service and Retrenchment, of which he was

chairman. This bill is comprised in the 11th and 15th sections of the reform bill as finally passed. On the 11th of December Mr. Pendleton called up the bill known by his name, which was temporarily laid aside until the next day. On the 12th the Senate ordered the reports upon the administration of the post-office and custom-house in New York, in which the reformed system was enforced, to be laid before it. The Pendleton bill was then read for the first time with certain carefully considered amendments, and then, on the eighth day of the session, Mr. Pendleton in an elaborate speech opened the debate.

On the same day the Kasson bill as amended was reported to the House. Mr. Willis of Kentucky and Mr. Bayne of Pennsylvania introduced two substitutes which were substantially the Pendleton bill. On the 13th Mr. Kasson sought to press his bill in the House, but Mr. Hiscock, disclaiming any desire to delay legislation upon the subject, preferred to await the action of the Senate, and the House took up an appropriation bill. On the same day the Senate referred the proposal for inquiry into the system of political assessments to the Committee on the Judiciary. It rained and hailed reform. On the 15th of December, in the House, Mr. Harris of Massachusetts introduced a reform bill. On the 20th Mr. Dawes, in the Senate, relinquished the bill which he had proposed to substitute, and advocated the passage of the Pendleton bill. On the 23d Mr. Edmunds, from the Committee on the Judiciary, reported a bill prohibiting assessments. On the 24th Mr. Hawley, from the Committee on Civil Service and Retrench-

ment, offered four sections, including his bill of the 9th, which are now the 11th, 12th, 13th, and 15th sections of the reform act. The debate in the Senate had continued for a fortnight, and the opposition, at last aware of the positive demand of the country, had sought to defeat reform indirectly by amendments intended to cripple the bill. Mr. Hawley, as chairman of the committee which had reported the bill at the previous session, had charge of it through the discussion, and displayed the most excellent tact and temper, acuteness and agility, in perceiving and baffling the blows which were meant to disable and, if possible, to destroy it. During the progress of the debate, Messrs. Dorman B. Eaton and Everett P. Wheeler went to Washington on behalf of this league, and by their familiarity with the details of the bill, as well as with the nature and extent of the abuses to be corrected and with the principles and history of the reform movement, rendered great service to the cause. On the 27th of December, three weeks and two days from the opening of the session, the Pendleton bill passed the Senate by a vote of 38 yeas to 5 nays, 33 senators being absent. On the following day the bill prohibiting political assessments, which Mr. Edmunds had reported from the Judiciary Committee, was passed, in addition to the rigorous prohibitory provisions already incorporated in the reform bill.

On the 30th of December the Pendleton bill and the Edmunds assessment bill were received by the House from the Senate, and were referred to the Committee on Reform in the Civil Service, with leave to report at any time. On the same day the House adjourned

until the 2d of January. On the 4th Mr. Kasson reported the Pendleton bill without amendment, and hoped that the debate would be ended in a week. A confused colloquy began upon the rightful precedence of other bills, in the midst of which Mr. Cox of New York proposed amid applause that, as the Pendleton bill had been thoroughly discussed in the Senate, it should be at once put upon its passage in the House. The disposition of the House was unmistakable, but a desperate effort was made to defer the vote by sending the bill to the Committee of the Whole. The speaker steadily ruled that the House would proceed to consider the bill, and recognized Mr. Kasson. The bill was read. Amid great excitement and applause Mr. Kasson moved the previous question. It was ordered. A demand for debate was made amidst a loud cry for the vote. The speaker ruled that thirty minutes for debate were allowed by the rules upon a bill which had not been debated and upon which the previous question had been ordered. A rapid debate followed. Amendments were attempted, but they were ruled out of order. Appeals were made to amend by unanimous consent and to recommit with instructions. But every device to obtain delay and to strike at the bill was happily baffled. The thirty minutes expired, and Mr. Kasson demanded the yeas and nays upon the passage of the bill. They were ordered, and by a vote of 155 yeas to 47 nays, and with 87 members not voting, the Pendleton bill was passed.

The House which was so eager to make the bill a law that it would not tolerate debate and loudly cheered

the proposal of an immediate vote, was the same House that five months before had derisively and angrily refused to give a paltry sum and to aid a single experiment of reform. Members who could not laugh loud enough at the ridiculous whim of transacting the public business upon business principles, now tumbled over each other in their breathless haste to make that whim the national policy. From the moment that Congress met, this question had taken precedence of all others. As Mr. Willis truly said, "Bill had followed bill, resolution had crowded upon resolution," and Congress did not pause until the duty which it felt to be the most imperative was performed. The *Congressional Record* of December 5th records the meeting of Congress. The *Record* of January 5th records the passage of the Pendleton bill. I have told the story in detail, for I know no more amusing and significant story in the history of American politics.

But the history of the year discloses other striking results of the public interest in the subject. A year ago the case of General Curtis, an employé of the United States indicted for receiving political assessments, was still pending. He had been convicted on the 25th of May in the Circuit Court of the United States for the Southern District of New York. Upon his appeal, the full bench of the court on the 20th of July affirmed the constitutionality of the law. General Curtis appealed to the Supreme Court, and, at the October term, the Chief Justice of the United States delivered the opinion of the court, sustaining that of the circuit court, and affirming the constitutionality of such prohibitory legis-

lation. In the election of the last autumn in all the States where there were Reform Associations, congressional and State candidates were closely questioned, and their replies were published that their position upon the question of reform might be clearly understood. In the ninth congressional district of Massachusetts, the election turned upon that question. Theodore Lyman was nominated distinctively as a reform candidate, and he was elected by a decisive majority.

The general result of the election was so universally interpreted as a demand for reform that it was not surprising that the State legislatures which assembled at the beginning of the year showed the same interest in the question which was apparent in Congress. Bills and resolutions upon the subject were introduced in the legislatures of New York, Pennsylvania, and Ohio. In Ohio no action was taken. In Pennsylvania a general bill was defeated, and a very moderate prohibition of political assessments was adopted. In New York a bill modelled upon the Pendleton bill, mandatory in the State and permissive in cities of 50,000 inhabitants and upward, was prepared by the New York association. With this was combined another bill, introduced by Mr. Miller of the city of New York, giving very searching and extensive authority of inquiry into the municipal service. The bill contained also the most stringent prohibition of political assessments which has yet been proposed. Petitions favoring reform legislation were presented from every part of the State. The New York Reform Association was ably represented before the committees which had charge of the subject. The

Republican and Democratic young men's clubs of Brooklyn especially interested themselves in the passage of the bill to which the governor of the State was known to be favorable. It had sagacious and intrepid friends and advocates upon the floor of the legislature, but action was delayed until the very closing hours of the session, when, without amendment and by an enormous majority, the reform bill was passed. It was immediately signed by the governor, who simultaneously nominated a commission which was the earnest of his own good faith and of the firm and honest administration of the law. This event is second only in importance to the passage of the reform bill by Congress. It was in the State of New York that under the Council of Appointment the spoils system was adopted nearly a century ago. It was the politicians of New York who gave it its first organized impulse. It was in response to Henry Clay's taunt at the New York system that a New York senator made the famous defence that to the victor belong the spoils of his enemy. It is in New York that the evils and the perils, the dishonor, the corruption, the degradation of the system have been most fully displayed. And it was in New York also that the first vigorous, resolute, and unquailing opposition to the evil system was organized. It was most fitting, therefore, that the chief of sinners among the States should lead the van of reform, for the political reform that is possible in New York is practicable everywhere in the country.

At the last meeting of the League a resolution was adopted requesting the President to bring to the atten-

tion of the national executive the letter and order of Mr. Webster as Secretary of State upon the conflict of patronage with the freedom of elections. But at a meeting of the executive committee, held later in the year, it was agreed that, in the situation then existing, such action for the present was inexpedient. During the year the attitude of the national executive towards reform has been upon the whole, and notwithstanding certain inconsistencies of conduct, one of friendly observation. The efficiency of the Pendleton bill depended at the beginning wholly upon the good faith of the President. Had he desired to discredit and to defeat its purpose, he had only to appoint an unfriendly commission. But the selection as the first-named commissioner of one of the ablest, sincerest, and most devoted friends of reform, Mr. Dorman B. Eaton of New York, and the association with him of Dr. Gregory of Illinois and Judge Thoman of Ohio, was the conclusive earnest of the President's desire to give the reform system fair play. This is the more significant because the President's previous course, and his faith in the spoils system as essential to effective party organization, had excited great apprehension that he would use his vast patronage in a manner to confirm and aggravate the evils of that system. But this apprehension has not been justified. In certain instances indeed, and especially in the removal of the late naval officer of New York, one of the most efficient and experienced officers in the public service, there was a flagrant disregard of the essential principles of reform. But the ingenious manner in which this disregard was veiled in

an apparent desire to promote the interests of reform was in itself evidence of the President's consciousness of the public expectation that tried and capable officers shall not be removed under the plea of the expiration of their terms. But, on the other hand, the President's steady refusal to satisfy the faction of his party which demands that the public patronage shall be prostituted to a factional interest is most honorable to the chief magistrate; and, whatever exception may be justly taken to many acts of the administration in regard to appointments and removals, it will not be denied by fair men of every party that a President whose accession by means of a most tragical event was generally regarded as a serious misfortune, if not calamity, has not only allayed all apprehension of a gross misuse of the patronage of the government, but by his pacific and temperate administration has gained the approval of the country.

The League also at the last annual meeting directed the appointment of three committees to issue respectively addresses to the voters, to the clergy, and to the educational authorities of the United States, in promotion of the general objects of the League. The committees were appointed and the addresses were duly issued, with the exception to that of the friends of education, which is not yet fully prepared. During the year also the progress of the cause has had a most faithful chronicler in the *Civil Service Record*, published by the Reform Associations of Boston and Cambridge. The Massachusetts associations and those in Philadelphia, Baltimore, Buffalo, Pittsburg, and St. Louis have been central points of interest and activity for their

various sections of the country. On all sides there are signs of unflagging spirit, and there is no reason to fear that the mutual congratulation and compliment which are natural in this assembly and at this hour will paralyze the energy or relax the care and foresight of the friends of reform. The passage of the Pendleton bill by Congress and of the State bill in New York; the appointment of the commissioners and their devotion to their duty; the opinion of the Supreme Court and the prohibition of political assessments, with the general public interest on the subject of reform, are all but incentives to continued effort. The passage of the Pendleton bill is the beginning, not the end, of reform. It prescribes methods of appointment to certain classes of positions in the Civil Service. But it is to be extended to all similar positions only by direction of the President, and the President will act only in deference to public sentiment. There are also large and most important branches of the service, such as that which includes laborers, to which the reformed system is yet to be adapted, but whose inclusion is demanded by the very purposes of reform. So long as laborers are appointed by mere favoritism one of the strongest weapons of the spoils system remains. But certainly the same good sense which skilfully applies the reformed method to the selection of night inspectors of customs will readily provide for applying it also to the appointment of laborers.

Another most important step yet to be taken is the application of the reformed system to the municipal service. The Massachusetts league of Reform Associa-

tions has appointed a very able committee to inquire into the whole subject; and, most fortunately for the inquiry and the experiment, one of the cities in the State of New York of 50,000 inhabitants and upwards is the city of Brooklyn, and the mayor of Brooklyn, Seth Low, is one of the most practical and strenuous friends of reform. He sought an early conference with the New York commission, and I am very sure that the deliberations of the Massachusetts committee, the New York commission, and Mayor Low will result in a practicable scheme of spoiling the municipal spoilers.

But the especial object to which the National League will devote its attention, now that the Pendleton bill has become a law, has been already declared by its executive committee on the 7th of March, 1883. This object is the repeal of the United States statutes which limit the term of most of the subordinate officers to four years, and which result in practically establishing that term for all offices, places, and employments in the service, except such as are specifically excepted. The mischievous practice is strongly intrenched in tradition, and it is speciously defended. But it was introduced to prostitute the public service to personal control, and it is one of the chief sources of the abuses which have aroused public attention and indignation. The first law upon this subject was approved by President Monroe on the 15th of May, 1820. Until that time the power of executive removal, which was affirmed by the First Congress, was thought to render such a limitation unnecessary. This decision of the First Congress, consequent mainly upon the urgency of Madison, has been

regarded as a conclusive interpretation of the Constitution. But Madison was very careful to denounce in advance the abuses which have arisen under that interpretation, by declaring, in the most emphatic and unmistakable manner, that the exercise of the power of removal for any reason not connected with the efficiency of the service would subject the President to impeachment. Mr. Jefferson, in his famous reply to the remonstrance of the merchants of New Haven against the removal of the collector at that port, commenting upon the action of his predecessor, which he considered unjustifiable, used the phrase which has become familiar, "I shall correct the procedure and, that done, return with joy to that state of things where the only question concerning a candidate shall be, 'Is he honest? is he capable? is he faithful to the Constitution?'" In these words Mr. Jefferson recognized that honesty, capacity, and patriotic fidelity had been the considerations which determined appointment and removal.

The constitutional intention is indisputable that appointments shall be made solely upon public considerations, and that the officer appointed shall serve as long as he discharges his duty properly and satisfactorily. This view at once draws the line between political and non-political offices. Public considerations plainly require that those who are selected to represent or to carry into effect the general policy which the country has approved at the polls shall be friendly to it. Washington stated the principle clearly in saying, "I shall not, while I have the honor to administer the government, bring a man into any office of consequence, knowingly,

whose political tenets are adverse to the measures which the general government is pursuing, for this in my opinion would be a sort of political suicide: that it would embarrass its movements is certain." This is the true principle. But it is not a principle applicable to subordinate ministerial officers, as the Republican Jefferson and the Federalist Bayard both distinctly stated during the delay in the election of 1800. And even one of the most devoted of party politicians, James Buchanan, said in the Senate in 1839, "I should not become an inquisitor of the political opinions of the subordinate officeholders who are receiving salaries of some \$800 or \$1000 a year." This was the constitutional theory and practice for the first generation after the establishment of the government. But as the number of officers increased, the power of patronage was proportionally extended and the opportunity to misuse it became irresistible.

The year 1820 marks a distinct epoch in the progress of the spoils system. On the 16th of December, 1819, at the opening of Congress, Mr. Dickerson of New Jersey, a devoted friend of Mr. Crawford, who was then Secretary of the Treasury and a candidate for the Presidential nomination, offered a resolution of inquiry into the expediency of altering laws so as to provide a limited term for certain officers mentioned, who should be subject to removal as before. John Quincy Adams records that Mr. Crawford told him that he drew the bill; and Mr. Adams adds that, while its ostensible object was to secure the accountability of certain collecting officers, the real purpose was to secure for Mr. Crawford the in-

fluence of all the incumbents in office upon peril of displacement, and of five or ten times as many ravenous office-seekers eager to supplant them. The inquiry proposed by Mr. Dickerson was ordered on the 20th of December. On the 20th of April the Finance Committee, to which it had been referred, reported a bill accordingly; on the 21st it was read the second time; and on the 5th of May, after some unimportant amendments and without debate, the bill was read a third time and passed by a vote of 29 yeas to 4 nays. On the 9th of May it was received in the House. On the 11th it was reported without amendment, passed without debate, and was approved on the 15th of May. The bill had apparently attracted no especial attention or interest. But the real object of the bill, Mr. Adams says, was accomplished. The custom-house officers throughout the Union, the district attorneys, marshals, registers of the land-offices, receivers of public moneys, paymasters in the army, and all their family connections became "ardent Crawfordites."

In November of the same year, Governor De Witt Clinton of New York said in his message at the opening of the Legislature that the power of the general administration had increased with its patronage, and he declared it to be his solemn duty to protest against the interference of the national office-holders as "an organized and disciplined corps" in the State elections. An angry reply was made by a joint committee of the Senate and Assembly. But their report shows plainly that, while the just and reasonable practice of the earlier administrations still generally prevailed—so that the col-

lector of New York alleges that the political conduct of his subordinates was wholly uninfluenced by him and that their political sentiments were indifferent or unknown to him—yet it shows no less that the political abuse of the national patronage had begun. In November, 1820, Mr. Jefferson writes to Mr. Madison totally condemning the four years' law as introducing fatal intrigue and corruption; as sapping the constitutional functions of the President; placing every office once every four years at the disposition of the Senate; stimulating the constant greed of place; breeding the utmost sycophancy to senators; and engaging them in endless cabals to turn out and put in their parasites. Mr. Madison replies that the law is certainly pregnant with all the mischiefs which Mr. Jefferson describes. It disregards, he says, the important distinction between the legislative function of repealing or modifying the office and the executive function of displacing the officer. Mr. Madison adds that even the legislative modification, if designed to re-establish the office and to allow a new appointment, would be a violation of the Constitution. If the principle of the statute is sound, he argues, Congress may limit the term of appointments to a single year or to the next meeting of Congress—to a week, to a day, as John Quincy Adams remarks, commenting upon Madison's view—and so annihilate the executive power. Mr. Jefferson had said that the President must have signed the law without reading it, because the Senate, which thus legally grasped his power, would never consent to relinquish it. Mr. Madison replies that, if the error be not at once corrected, relief will be diffi-

cult, for it is of a nature to take 'deep root. Mr. Adams, who was then Secretary of State, states that President Monroe signed the bill unwarily and without perceiving its real character, and he adopted the practice, which Mr. Adams carefully followed, the only just and constitutional practice, of renominating every officer at the expiration of his commission unless some official delinquency or unfitness could be proved against him.

Both Mr. Jefferson and Mr. Madison clearly foresaw and described the consequences of the four years' law. On the 4th of May, 1826, the select Committee on the Reduction of Patronage reported to the Senate a bill providing for its repeal, to repair the mischief as much as possible. The report stated that the law operated against its own intent and served to turn out faithful officers instead of retaining them. The expiration of the term had come to be regarded as the creation of a vacancy to be filled by a new appointment, and the proposed bill was intended to secure the professed purpose of the original law by confining the vacation of the office to actual delinquents. The repeal bill did not become a law. The evil had already taken the deep root which Mr. Madison apprehended. On the 9th of January, 1835, Mr. Calhoun, in his famous report upon the extent of executive patronage, again proposed the repeal of the four years' act, declaring that the "great and alarming strides" which executive patronage had taken since the report of 1826 made the repeal imperative.

The debate that followed in the Senate is memorable

for the fact that Mr. Webster and Mr. Calhoun both arrayed themselves against Mr. Madison upon the constitutional point of the sole executive power of removal. But they both agreed with Mr. Madison in condemning the four years' law, yet not for his reasons. While he laid chief stress upon the dangerous opportunity which it opened to the Senate, they saw mainly the perilous enlargement of executive power. Both parties were right. The law stimulated both senatorial intrigue and executive ambition, because of the association of the Senate and the executive in the appointing power. Mr. Webster did not deny that some benefit had been derived from the law, but he thought that the evil results were much greater, and he described plainly and strongly the demoralization and degradation produced by it. The law itself vacates the office, and gives the President the means of rewarding a favorite without exercising the power of removal. It thus enables him to displace a satisfactory officer without the responsibility or odium of dismissing him. The congressional decision of 1789, which gave the sole power of removal to the President, required positive executive action to cause a vacancy. The law of 1820 vacated all the chief financial offices, with all the places dependent upon them, that is, practically it vacated the entire Civil Service of the country during the term of every President, who without an order of removal could fill every place, small or large, from Katahdin to Santa Barbara, from the mouth of the Columbia to the Keys of Florida, at his pleasure. In contemplating the possible results of so vast a power, Mr. Calhoun said in 1835 that, if it should ever deal with a

corps of a hundred thousand office-holders, the friends of liberty might surrender in despair, for the people could not resist them for six months. Mr. Calhoun's gloomy forecast was unjust to the people. The corps that he foresaw has increased far beyond a hundred thousand. But the people have seen the nature and consequences of the despotism founded upon a patronage so enormous, and have already begun to overthrow it.

There has been no later attempt than that of Mr. Calhoun to repeal the four years' law. The abuse of patronage, which was so loudly derided by the Whigs during the administration of Jackson and Van Buren, was adopted by them upon their success in 1840, and it rapidly became the accepted tradition, until at last it was held to be indispensable to government by party. The repeal of the four years' law was sought no longer, because the law proved to be one of the most convenient means of the prostitution of the public service to personal and party ends, and, as patronage grew, the control of politics by the office-holding interest became more and more organized into a system which destroys legitimate party action and corrupts the government at its very source in the primary meetings of the people.

As the country extended and the number of offices necessarily increased, it is curious that the dangers which necessarily spring from a vast executive patronage did not alarm the sons of fathers who had seen such patronage to be the untiring foe of their liberty and independence. But their grandsons at least are aroused. They see that the absolute dependence of the great

army of employes of the government upon personal favor instead of faithful discharge of duty, creates an enormous danger to republican institutions. They see that personal favoritism is the tap-root of the evil to be reformed, and, to destroy that, they have approved the Pendleton bill. But the fixed limited term which is provided by the four years' bill immensely strengthens the evils of personal favoritism. The limited term fosters utter servility and lack of self-respect, because reappointment depends, not upon official fidelity and efficiency, but upon personal favor. The incumbent cannot be properly devoted to his duty, since it is necessary to propitiate the influence which can secure reappointment. The applicant is equally busy in seeking similar influence to obtain the place, and, as fixed terms are constantly expiring, the wretched and demoralizing contest is perpetually raging.

The repeal of the four years' law, therefore, is an essential step towards the complete correction of the personal and partisan prostitution of the public service which is the object of this League. It is simply a return to the constitutional theory of the framers of the government and to the constitutional practice of the early administrations. It is, further, in complete accord with the measures which have already been adopted in swift and strict deference to the demand of the country. The Pendleton bill provides a method of subordinate appointment which is intended to discard personal favoritism as the basis of the public service and to open the service to all citizens who shall prove their fitness for it. The fundamental principle of the bill is that public em-

ployment of every kind and degree is a public trust, and that the public interest requires only that the trust be discharged honestly, economically, and efficiently. But, in the great multitude of minor ministerial employments, this is impossible under a system of arbitrary removal, and the evil is practically the same whether the removal is effected by personal whim or supposed party interest or by the regular course of law.

Yet our position on the subject of removal must be clearly understood. In urging the repeal of the four years' law, we advocate the constitutional tenure and nothing more. We do not plead for fixed permanence in public place, nor assert a vested right in public employment. Due subordination and discipline are essential to all effective organized service, and, therefore, dismissal for proper cause should be prompt and sure. To this end the power of removal should be left as free as possible, provided that motives for its illegitimate exercise are destroyed. Such a provision secures both proper discipline and a just tenure. The vital condition of efficient devotion to duty in the employments which we have in view is that on such diligence the tenure of the place depends. This is the condition of private service. No employé in a business house or company pretends to hold a vested right to his place. He may be dismissed at any moment. But he knows that he will not be dismissed so long as he serves faithfully. This conviction is the main-spring of good service. Men remain in the same business employment for thirty or forty years, not because of any prescribed life term, but because of valuable service. Idle, dissolute, dishonest men are dis-

missed as soon as they are discovered. But the private employer who should insist upon rotation in place, who should dismiss competent and experienced clerks for no other reason than that they had served in his counting-room for six months or six years, and because there were other persons in the world who might prove to be equally competent, or because he feared that they might come to think that they had acquired a vested right to their places, would be a fit subject for the writ *de lunatico*. In the transaction of the public as of private business, if the object be good service, a fixed term, unless reappointment is sure to follow good conduct, is absurd and necessarily demoralizing.

But if merit secure continuance, the limitation of term is mere folly. The plea for the four years' law upon which the sound practice of more than thirty years was disturbed, was that accounting officers would be more careful in the discharge of duty if their offices should be vacated by law every four years. Such a plea, however, assumed that they would be careful because care would secure reappointment. According to this reasoning there would be no inducement to be careful if experience should prove, as it has now proved, that the utmost fitness, long experience, and tried ability did not secure reappointment, and that the fixed term was held to be the rightful measure of the claim to public employment. The argument was that the term was limited in order to make the officer more careful. The fact was that the utmost care did not save him from dismissal at the end of his term. A year ago Mr. Butterworth of Ohio, in an elaborate speech in the

House of Representatives, declared that only 49 removals had been made during the nine months of the administration. Upon looking at the figures it appeared, as I said here at the time, that of 825 officers whose terms had expired, the President had reappointed 428 and had not reappointed 397. By Mr. Butterworth's own showing, therefore, nearly fifty per cent. of the officers whose terms had expired had been dropped from the service. If they were unfit, they should have been dismissed without awaiting the end of their terms. If they were fit, they had been dismissed merely because their terms had expired. In what way can such treatment be held to be an incentive to a more careful discharge of duty? The pretence is absurd. However honestly the four years' law may have been passed, it has resulted, not in securing greater official diligence, but in enabling the executive to traffic in patronage without the odium of removal.

The particular argument for the fixed term in the case of collecting and disbursing officers has been expanded into a general assertion that security of official tenure tends to carelessness, laziness, insolence, and inefficiency. The reply to this assertion is obvious and conclusive. If the security be based upon a right of property in the office, of which the incumbent can be dispossessed only by a process equivalent to a trial in the courts, there is reason in the argument. But it is totally inapplicable to a security of tenure which depends wholly upon good conduct and upon the satisfaction of a superior officer who has no illegitimate motive for dismissal. Negligence and insolence may

be expected in an office the chief of which knows that every clerk under him was placed at his desk by a personal influence which the chief does not dare to defy. But negligence and insolence are not probable in an office in which the chief stands in no fear of personal influence, and depends for his own security upon the good work of his office. To the whole system of removal by lawsuit we are—if I may speak for the League—resolutely opposed. Having annulled all reason for the improper exercise of the power of dismissal, we hold that it is better to take the risk of occasional injustice from passion and prejudice, which no law or regulation can control, than to seal up incompetency, negligence, insubordination, insolence, and every other mischief in the service, by requiring a virtual trial at law before an unfit or incapable clerk can be removed.

The scheme of rotation in office presupposes that a republican system requires that every man shall be employed by the government for a certain limited period; or it asserts that continuous service is incompatible with free popular institutions and tends to monarchy. But no scheme of rotation could be devised to give public employment to every citizen. The truth which is smothered under the demagogue's cry of rotation in office is this: That in a republican government it is desirable constantly to bring the fresh intelligence and ability of the people into the direction of public affairs. This is undeniable. And among the many evils of the spoils system, not the least is that it arbitrarily excludes this intelligence and ability from every branch of the public service. But to secure the constant reinvigoration

of the government by fresh talent and energy, as well as to effect such changes of representatives and of policy as the country may desire, the national and State constitutions make ample provision by requiring frequent elections of legislative and chief executive officers. By intrusting to those officers the selection of subordinate ministerial employés, the constitutions assume that such selections and dismissals will be made solely with a view to efficient service. The public hold upon such employés of every kind is through the elective officers who appoint them. But the public interest in them is solely that they shall be appointed and removed in the way least harmful to the public service and to the general welfare. It is for this reason that when, as in a recent case, a high appointing officer, the commissioner of internal revenue, misused his authority by removing an admirable subordinate to make place for a favorite, a powerful demand was properly made in the press that the President should dismiss the officer who had flagrantly abused his official trust to the injury of the public service and the discredit of the government. The universal public attention which is now directed to such acts, and the sharp censure with which they are exposed and condemned, is but one of the illustrations of the general determination that the system which inevitably breeds such abuses shall be reformed.

In moving for the repeal of the four years' law, upon which subject Mr. Whitridge of the New York Association has prepared a brief and cogent pamphlet which should be generally circulated, we shall carry our ap-

peal, as in all our action, to the great American tribunal, the intelligence of the people. If any body of citizens in the country have reason to trust that intelligence, it is the Civil-Service reformers. The history of American politics is most encouraging for every man who holds firmly to the American principle, because it shows that reliance upon the popular reason and conscience, and not flattery of popular passion and ignorance and prejudice, is the royal road of progress. Every great reform, indeed, can wait, because no reform is effective or assured until it rests upon the public conviction, and, in the part that the League has taken honorably to produce that conviction, it has had no reason for doubt or dismay, but every reason for hope and good cheer. In the task that yet lies before it it will depend upon the same popular patriotism, sagacity, and courage which have achieved the remarkable victories of this year. The watchword of the hour is the famous order of the German marshal. Amid the smoke and roar of the battle, as his blazing lines steadily advanced, the old soldier placidly took snuff and said quietly to his officers, "Patience, gentlemen, and forward!"

IX

THE YEAR'S WORK IN CIVIL-SERVICE REFORM

AN ADDRESS DELIVERED AT THE THIRD ANNUAL MEETING OF
THE NATIONAL CIVIL-SERVICE REFORM LEAGUE, HELD

AT NEWPORT, R. I., AUGUST 6, 1884

THE YEAR'S WORK IN CIVIL-SERVICE REFORM

At the last annual meeting of the National Civil-Service Reform League two resolutions were unanimously adopted, which announced the special objects to be sought by the league and the friends of reform during the year now ended. One of the resolutions recommended to all the reform associations in the country to make strenuous and unceasing efforts to secure the repeal of the laws of the United States which fix the tenure of certain administrative offices at four years. The other resolution urged the associations to spare no efforts to procure the passage of laws extending the principles of the reform bill to the Civil Service of the States and cities of the country. It is now my duty to report to you what progress has been made in accomplishing these results.

The limitations imposed by the law of 1820 and by the subsequent acts upon the term of certain offices was an abandonment of the practice that prevailed during the first thirty years of the government, and the change was introduced for the purpose of vacating the offices that they might be filled by the appointing

power. It was intended to facilitate the prostitution of the public service to personal and party ends, and the result has fully proved the sagacity of the political schemers who designed the law. Six years after the law was passed a special committee of the Senate declared that it defeated its own professed object by turning out faithful officers instead of retaining them. That is to say, it defeated its professed purpose by accomplishing its real purpose. It did not improve the public service of the country, but it greatly benefited the private service of the politicians who controlled the patronage. The law of 1820 and the subsequent acts vacate during every presidential term the offices upon which the vast multitude of minor places in the public service depend, and, as reappointment is not necessarily secured by official fidelity and efficiency, but is determined by personal and political favor and intrigue, the public employé is naturally engaged in propitiating the influence which can retain him in place. This is one of the most obvious ways in which the spoils system strikes at the self-respect of the public employé, and at the same time influences the zeal of the office-seeker to cultivate a still stronger influence to thrust the incumbent from his position.

In accordance with the recommendation of the National League, the reasons of the proposed action were submitted to the country. When Congress met in December, a bill repealing the acts in question was introduced in both Houses, and petitions signed by eminent citizens were presented from various States asking the passage of the bill. The appeal was pressed before the

committee of the House with ample knowledge, eloquence, and ability by committees of the League and of local associations who went to Washington for the purpose, and the passage of the bill repealing the four years' tenure was unanimously recommended to the House by the Committee on Reform in the Civil Service.

Meanwhile signs of some reaction of feeling upon the subject naturally appeared. At the opening of the session of Congress both Houses, in filling the minor positions in their service, utterly disregarded the fundamental principle of the reform bill which they had passed a year before. This action was followed early in the session by two propositions introduced in the House of Representatives to repeal the law, and at the same time Mr. Pendleton, whose name is honorably associated with the reform bill, was defeated in the Legislature of Ohio for re-election to the Senate of the United States. His advocacy of reform was one of the objections which were warmly urged against him; and his successful competitor, in a public speech after his election, showed his utter want of sympathy with the reform spirit, as well as his total ignorance of the practical methods and scope of the reformed system. Such reactionary tendencies, however, are not surprising, nor are they discouraging. There are always bats and owls overtaken by the rising sun, but, despite their blinking and hooting and fluttering, the sun "goes marching on."

It was on the 21st of April that Mr. Mutchler of Pennsylvania moved in the House of Representatives to suspend the rules to take up the bill to repeal the four years' law, which was unanimously recommended

by the Committee on Reform in the Civil Service. Mr. McMillin of Tennessee opposed the repeal on the ground that the tenure-of-office act requiring the consent of the Senate for the removal of an officer would create a life tenure, and Mr. McMillin deprecated a life tenure as intolerable, arguing that if an officer be faithful it is but little trouble to reappoint him; but if he is not faithful, he thought that his term of service should be allowed to expire, and that then, without any executive act, he should be dropped from the service. It seemed not to have occurred to Mr. McMillin that, if it be little trouble to reappoint such an officer, it is still less trouble to leave him undisturbed until there is some proper reason for disturbing him. Nor did Mr. McMillin appear to see clearly that the executive oath honestly to enforce the laws requires, not that an unfaithful officer should be allowed to serve out his term, but that he should be peremptorily dismissed as soon as his unfaithfulness is known. The abuse of the four years' law is not that inefficient officers are suffered to drop from the service at the end of their terms, but that efficient officers are dropped when their terms end, and although it is but little trouble to renominate them, they are not renominated, because their places are wanted, not for the public advantage, but for party or personal profit. And it is for the very reason that this wrong is effected without any executive act of removal that the repeal of the law is sought, in order that the responsibility for the removal of faithful officers shall rest, in the eyes of the country, where it belongs, upon the appointing power. The present laws serve the purpose for which they were

designed, namely, to place all the officers at the disposition of the President, and to enable him, for any political or personal purpose, noiselessly and without an order of removal, to dismiss any officer, however faithful, capable, and experienced he may be. There is no more ingenious device than the four years' law for promoting, as Mr. Jefferson said, intrigue and corruption and the constant and demoralizing greed of place. Having earnestly protested against the repeal and warned the House against a life tenure, Mr. McMillin concluded by declaring that nobody was more anxious for a true Civil-Service reform than he.

Mr. Willis of Kentucky, who introduced the bill and who has taken a conspicuous and effective part in reform legislation, replied forcibly to Mr. McMillin that the theory of a life tenure was wholly chimerical, and that, even were it not so, it was an objection inapplicable to places in the service which are not political. He showed that all the offices affected by the repeal are entirely non-political, and that nobody was able to say, and never had anybody been able to say, why honest, capable, and faithful public servants should be turned adrift at the end of four years. No reason, indeed, could be given except that, under the abuses of the spoils system, such ministerial places have been regarded, not as public trusts, but as bribes to secure partisan service. Mr. Willis stated the simple truth that the repeal does not reverse the settled policy of administration. On the contrary, it removes flagrant abuses that have destroyed the original constitutional practice, and restores the policy of Washington and of the founders of the

government. Mr. Springer of Illinois opposed especially the provisions of the bills which authorized the judges of the supreme court in the Territories to hold during good behavior or until the Territory shall be admitted as a State. Mr. Springer's speech was evidently only a partisan appeal, and was of no weight whatever. Mr. Dibble of South Carolina argued that the patronage of the executive now placed in the hands of one man power too great for a republican form of government; but he opposed the repeal of the four years' term, although it necessarily increases the danger of that power by facilitating its abuse. He thought, however, that a term of seven years would promote genuine Civil-Service reform. But the argument for a term of seven years, which is that it would tend to prevent mere political removals, is a stronger argument for the repeal of all fixed terms for merely ministerial places. Mr. Holman of Indiana saw no hope for reform in the Civil Service until the salaries of public officers are made to correspond to those which are paid in private employments. Mr. Holman's chief argument, however, was that upon which the four years' bill was originally justified; namely, the desirability of the stated closing and public scrutiny of all public accounts, and the moral effect upon the officer of the knowledge that his reappointment and continuance in office will depend upon the proof of his perfect integrity and capability and promptness in the administration of his trust. Mr. Holman was apparently unaware that, six years after the passage of the law, the select committee of the Senate reported that the results which Mr. Holman described as those which the bill

would secure were not secured, and that the expiration of the term had already come to be regarded as the creation of a vacancy to be filled by a new appointment. Nine years later, in 1835, Mr. Webster declared the evil results of the law to be much greater than any advantages which had been derived from it, and with Clay, Calhoun, Benton, Ewing, Southard, White, and other eminent leaders of both parties, he warmly advocated its repeal. Mr. Holman also deprecated a life tenure, and was followed by Mr. Finalay of Maryland, who read an admirable letter from George S. Cole, secretary of the Civil-Service Reform Association of that State, and on behalf of the executive committee, urging the general argument in favor of reform.

The debate was fitly closed by Theodore Lyman of Massachusetts, the first member of Congress ever elected upon the distinct issue of Civil-Service reform. In a brief speech he argued cogently that, having provided that merely ministerial places shall be filled by proved fitness, it was now necessary to make chief appointing officers strictly responsible and accountable. This result is effected by giving them the power of removal, and taking from them the temptation to abuse the power. But the four years' act interferes with this power, because under that act it is held, as Mr. McMillin argued, that a man shall be allowed to serve out his prescribed term unless his conduct is absolutely intolerable. The repeal would restore the practice of the early administrations, and, instead of establishing a life tenure, it would provide the utmost freedom of removal with the most rigid responsibility to the people for the

exercise of the power. Mr. Herbert of Alabama asked whether the tenure-of-office act does not enable a hostile Senate practically to prohibit a President from removing officers. Mr. Lyman replied that he thought it did, but he stated amid applause that it was proposed soon to repeal the tenure-of-office act, and that this was the stepping-stone to the repeal. A little wrangle arose upon a remark of Mr. Bayne of Pennsylvania, that those who voted against the bill voted for the spoils system, and those who voted for it voted for good government. The altercation took a party tone, which was happily closed by Mr. Willis of Kentucky in saying, "The whole system is un-Democratic and un-Republican both." The vote was then taken upon the motion to suspend the rules and pass the bill, which was lost by 146 yeas to 99 nays.

So the bill to repeal the statutes limiting the term of certain officers was lost, after a unanimous report in its favor, and after a very short and, so far as the opposition was concerned, a wholly unimportant, debate. It was not asserted that the constitutional want of limitation had shown any necessity for the act of 1820 and subsequent acts of the same kind. It was not denied that the limitation was imposed for a political purpose under pretence of the public welfare, and that the professed objects of the limitation had not been accomplished, but, on the contrary, that it had produced an immense abuse. The only semblance of argument in opposition to the repeal was that the tenure-of-office law would enable the Senate to thwart the President, and that to repeal the four years' term is to create a

life tenure. The conflict between the executive and the Senate, however, is inherent in the Constitution, which has associated them in the appointing power. The Senate can always practically thwart the President's power of removal by refusing to confirm the nomination of a successor to the incumbent of an office, thus throwing upon the President, unless the reason for removal be flagrant and notorious, the responsibility of leaving the office unfilled and the public service in that office undone. The tenure-of-office act was the formal assertion in law of a power which great constitutional authorities have strongly asserted, and the claim to which the Senate has never relinquished. It is a conflict which, in the nature of things, will be constantly renewed; but, whatever form it may take, it does not seriously affect the question of the repeal of the four years' law. For if, at the expiration of the four years' term, the President should renominate an honest and efficient officer, and the Senate should refuse to confirm the nomination, it would justly incur the odium of preventing a fit appointment. If, on the other hand, the President, for partisan or other improper reasons, should seek to eject an honest and efficient officer from the public service by nominating a successor, and the Senate should refuse to authorize the outrage, the odium of the attempted wrong would be properly thrown upon the President. This would be true whether the attempt were made at the expiration of a four years' term or at any time when the President might deem a change desirable, and, as the repeal of the four years' act would not affect the attitude of the Senate towards

executive nominations, and would restrain the abuse of the executive power of nomination by making the President, and not the law, responsible for an attempted change, the objection founded upon the tenure-of-office act disappears.

The objection which is expressed in the cry of "life tenure" and "a privileged class" is one of the most ancient and familiar appeals of the spoils system to ignorance and prejudice. Whenever it has been proposed to recur to the constitutional principle and the early practice by treating the public clerk as the private clerk is treated, by ordaining that the public business shall be transacted upon business principles, and that filching politicians shall be forbidden to turn the public service to their private profit, we are told that a life tenure and a privileged class are odious and un-American; as if anything were so odious as a system tending to destroy the self-respect of public officers, or anything so really un-American as turning out an honest, efficient, and experienced agent because somebody else wanted his place. There can, indeed, be no life tenure in an offensive sense so long as the power of removal is unchecked, except by a sole consideration for justice and the public service; and the retention of a faithful, capable, and tried public servant confers no privilege which every such servant of every great corporation and of every great or small business house and of every well-ordered department of human industry does not already enjoy. Of all the familiar tricks of the American demagogue none is more amusingly contemptible than the effort to show that a system which tends to promote a degrading loss of self-

respect and a cringing dependence upon personal favor is peculiarly a manly and American system. It is a cry raised most vociferously by those who most despise and distrust the people, and, as the sure and steady progress of reform plainly shows, it no more deceives and alarms an intelligent public opinion than the ridiculous assertion that Civil-Service reform is a system which requires that a man shall pass a satisfactory examination in astronomy and the higher mathematics in order to be eligible to appointment as a night-watchman in the custom-house. In the familiar story the young lawyer was reminded by the judge that the court might be supposed to know some law. The American demagogue is incessantly taught by the experience of this country that the American people may be supposed to have some common-sense.

While thus the efforts of the League under the first resolution, although not successful, have accomplished much in procuring a unanimous report in favor of the repeal of the four years' law, the results in carrying out the objects contemplated by the second resolution are still more gratifying. The New York reform bill, which was passed on the 4th of May, 1883, was to take effect on the 4th of January, 1884, and in the meantime the public service of the State was to be classified and the working scheme prepared to carry out the law. This wholly new and peculiarly delicate and difficult task was accomplished to the entire satisfaction of the commission by the chief examiner, Silas W. Burt, one of the most sagacious and experienced friends of the reformed system. In September the classification of the State

service, now made for the first time, was completed, and it was promptly approved by the governor. In the same month the mayor of New York, whose action under the provisions of the bill as they then existed was discretionary, declared himself in favor of the reformed system, and invited consultations with the State Commission, and the mayor of Brooklyn adopted rules for the enforcement of the reform in that city. In November the mayor of New York announced the rules that he had approved, and the character and ability of the examining boards that he appointed attested the intelligence and good faith with which he entered upon the work. The mayor of Buffalo introduced the reform system in that city, and early in December the rules and regulations adopted by the New York State Commission were approved by the governor, whose fidelity and courage in promoting the reformed system are among his most conspicuous public services. In order to perfect the New York law, the State Commission, upon consultation with the New York Reform Association, proposed to make the reform system obligatory, and not discretionary, in the larger cities of the State. The governor approved the proposition and recommended it in a message to the Legislature accompanying the report of the commission, and in May the amended bill became a law.

The result is that by the active co-operation of intelligent citizens of both parties, who are neither dismayed nor in the least degree disturbed by any form of hostility whatever, the Civil-Service reform acts of the State of New York are now almost complete, and the reformed system is established by law with the consent and desire

of the best citizens in the State in which the abuses of the spoils tyranny have been most flagrant and degrading. All the admissions to the State service are now determined by the competitive system with the exception of elected officers, of officers confirmed by the Senate, of laborers, and of fifty-two special cases excepted by the commission for wholly satisfactory reasons. But further than this, and in strict accordance with the recommendations of the resolution of a year ago, the reformed system is now also introduced by law in the twenty-three incorporated cities of the State. The mayor of each city is required to enforce it, and the police, fire, and law departments are not exempted from the operation of the law. Admissions to the city service are determined by competition, and soldiers and sailors of the civil war are given precedence over competitors of equal merit. The exceptions are elected officers, subordinates to superiors who are financially responsible for the subordinates, officers in charge of public moneys and accountable for them, and officers of elections. Rules and changes of rules adopted by the mayor are subject to the approval of the State Commission. No recommendation or certificate except concerning character or residence can be received from any member of the Legislature, from any officer confirmed by the Senate, or from any judge. Political assessments or solicitation to give money for party objects, and promises of influence to secure appointments as partisan rewards, are forbidden, and every form of such venal coercion is defined and punished as bribery. This extension of the reform system to the State and municipal

service of New York is a prodigious achievement. It has been accomplished primarily, of course, by an intelligent public opinion and by the patriotic agreement of leading men of both parties. But it is the reform associations, in which happily party politics are unknown, which have enlightened public opinion and warned and guided legislative action. The expense of these associations is insignificant and their intelligent activity comprehensive and untiring, and the results of that activity are extraordinary and of the highest public advantage. I doubt if there are any purely voluntary associations in the country which have produced so noiselessly and so effectively results at once so great and so beneficent to political morality and the public welfare as the modest associations which compose the National Civil-Service Reform League.

How thorough and complete is the work done by these associations is well illustrated in the report of the committee of the New York Association upon Civil-Service Examinations, which was requested by the State Commission to inquire into the applicability of the reformed system to the police and fire departments of the city of New York. The report made in obedience to this request is a comprehensive statement of the general method of applying the principles of open competition to those branches of municipal service. Its clearness, simplicity, and good sense are conclusive; and, although the report is addressed to specific application of the reformed methods, it is in itself an admirable illustration of the practical spirit of reform. As I stated last year, Mayor Low of Brooklyn, whose effective con-

duct of municipal affairs upon the principles of this reform has given the city an enviable distinction, has recently held a prolonged conference with the State Commission upon the general subject, and the State Commission and the good cause have the great advantage of the experience of one of the ablest of municipal executive officers, whose faith increases with his works, and whose works would quicken with saving faith the mind of the most incredulous scoffer at reform. Meanwhile in Massachusetts, where a committee of the State League was appointed last year to consider the application of the reformed system to the municipal service, a State bill was introduced in the Legislature early in the session, which was finally passed and approved on the 3d of June, and the commission which the governor has appointed is the earnest of a faithful and intelligent enforcement of the law. The act empowers the commissioners to prepare rules to govern the selection of officers and laborers both for the State and city service. This is a very comprehensive authority, and it devolves upon the Massachusetts Commission the immediate consideration of a branch of the subject which has not yet been satisfactorily treated, namely, the application of the reformed system to the selection of laborers. This is an important and interesting question upon which the views of the Commission will be eagerly awaited. But as the principle is easily applicable to messengers and orderlies in public buildings and to guards in prisons, it will be doubtless found not less applicable to laborers. For the essential point is not to find coal-heavers who can scan Virgil correctly, but coal-heavers who, being

properly qualified for heaving coal, are their own masters and not the tools of politicians.

The first annual report of the United States Civil-Service Commission was submitted to the President on the 7th of February, and on the 29th he transmitted it to Congress with a special message, in which he congratulated Congress and the country on the good results already achieved by the reform, and declared his conviction that it would henceforth prove to be of still more signal benefit to the public service. In November of last year the President forbade the choice among eligible candidates to be made for political or religious reasons, and in concluding their report the commissioners state that in every stage of their work they have had the constant and unwavering support of the President. There is no reason to doubt that within the range of the fourteen thousand places to which the national law applies the reformed system, it has been honestly enforced both in its letter and its spirit. But it is not evident that the reformed spirit has generally prevailed beyond that range. Heads of departments and subordinate officers who are not sincerely friendly to reform will naturally perpetuate the old abuses whenever it is possible to perpetuate them, and there is little doubt that, in contravention of the purpose and the principle of reform, office-holders and the power of patronage in some of the States largely controlled the selection of delegates to the recent national conventions. For this abuse, however, no single individual can fairly be held responsible. The plain and honest declaration of the President five or six years ago that no public employé need feel obliged to pay a polit-

ical assessment did not avail to prevent a general payment. The word of the President was not doubted, but the evil system was felt to be stronger than any officer, and there was then no law which protected the public employé from the plundering politicians. This has been now secured, and the enforcement of the law is guaranteed by public opinion. Should endeavors be made to evade the prohibition and to pick the pockets of the public servants, this League, and every association of which it is composed, stands ready to obey that opinion, and in both the national and the State service to hold the hand of the robber and to bring him to the judgment of the law and to the just scorn of the country. Public opinion is now thoroughly alive to the iniquity of robbing by political assessment, and it is plainly determined that politicians shall not sell the public service to the highest bidder.

This abuse and kindred abuses which spring from the old system have been greatly ameliorated. But they will disappear wholly only when the national administration is thoroughly renewed and reinvigorated at every point by the spirit of reform at the head. Reform is accomplished, not by those who acquiesce in it, but by those who believe in it. Congress passed the reform bill, not because Congress desired the reform, but because the country demanded it. It is the young men who are represented in these associations, the young men in whose hearts and consciences lies the future of America, who supply the conviction and the energy which Congress does not dare to disregard, and who, succeeding in their turn to executive and legislative

authority, will complete the work which has been so well begun. President Arthur came to his great office with no prepossessions for reform in the Civil Service. But his honorable treatment of the new policy is one of his chief titles to public regard. Under the forms of law he could readily have baffled its operation and defeated its purpose. But his candor and good faith secured the fair trial of the new system within the prescribed limits, and the conspicuous and honorable fact that during his term and with his friendly co-operation the radical reform by law of the monstrous abuses of the American system of appointments and removals in the Civil Service began will be the chief historic distinction of his tranquil and conservative administration.

Gentlemen, the immediate duty of the year before us is to urge to completion the repeal of the four years' laws, to secure the passage of other State reform bills, and to carry the reformed system still further into the municipal service. Unprecedented progress has been made in all these directions, but, until this reform of administrative methods has become as much the irrevocable national and State policy as the personal freedom and equality before the law of every citizen, the work of this League and of the associations is not finished. Much has been done and much remains to do ; and, in congratulating you upon the extraordinary success in the accomplishment of the objects of the League during the last two years, I cannot forbear to mention one other service, but of another kind, that we have been able to render. It is an inestimable service in popular government, and it is the more conspicuous at

this moment because we are now involved in the bitter controversy of a presidential election. It is the time in which party spirit rages uncontrolled, and in which, therefore, the fact which I mention is all the more impressive and significant, that the greatest and most beneficial reform in methods of administration which has ever been proposed in the country, a reform of abuses which were subjugating legitimate party action, destroying the moral authority of elections, demoralizing the public conscience, degrading official character, excluding able and upright men from public life, and disgracing the American name, has been begun and has been thus far effectively accomplished, not by party but by patriotism, by men in office and out of office, of different political convictions, strongly attached to different parties, anticipating political careers, yet co-operating with sincerity and enthusiasm, not as Republicans, not as Democrats, but solely as Americans; before all, proud of their country; above all, resolved that the national name should be unstained and national politics raised to controversies of principle and policy. In all the proceedings of our associations and of this League, in all our appeals and arguments, there has been no word and no thought of party. Both Houses of Congress passed the national reform bill with practical party unanimity. A Democratic legislature in New York, a Republican legislature in Massachusetts, passed a State reform bill; a Republican President, a Democratic governor, have been the two most conspicuous and effective executive agents in enforcing the reform. If in the mad tumult of party passion, in the storm of hatred, false-

hood, and malignant injustice which a presidential election whirls over the land, some appalled citizen should be ready to despair of his country and to be ashamed of his kind, let him take heart again and be prouder than ever that he is an American, and anticipate with surer confidence the greater glory of his country, as he reflects that Civil-Service reform, thus far, has been the triumph of patriotism in the midst of party conflict and despite the ferocity of party spirit.

X

CIVIL-SERVICE REFORM UNDER THE PRESENT
NATIONAL ADMINISTRATION

AN ADDRESS DELIVERED AT THE FOURTH ANNUAL MEETING
OF THE NATIONAL CIVIL-SERVICE REFORM LEAGUE,
HELD AT NEWPORT, R. I., AUG. 5, 1885

CIVIL-SERVICE REFORM UNDER THE PRES- ENT NATIONAL ADMINISTRATION

THE year that ends to-day has seen an event of the utmost importance in the history of Civil-Service reform in this country, a party change in the national executive. As reform cannot be held to be securely established until it has safely passed this ordeal, our most interesting question to-day is that of its position and promise after five months of such change. This is a question which we consider here solely as Civil-Service reformers, and I shall speak plainly, and I hope wholly without party prejudice, as I am sure that you will not suspect any party purpose.

Reform of the Civil Service is not as yet, and never has been, the distinctive policy of either of the great national parties. The relation of both these parties to reform is like that of the Whig and Democratic parties to slavery forty years ago. In both parties there was an antislavery conviction. There were Conscience Whigs and Free-soil Democrats. But neither of these groups could persuade its party to act unequivocally for freedom. The Democrats insisted that they stood by the compromises of the Constitution. The Whigs declared,

and truly, that their party was more antislavery than the Democratic party. But a Barmecide feast does not satisfy a robust appetite. It was not enough for earnest antislavery men that the Whig party was more antislavery than the Democratic party. Neither was an antislavery party, and after the long and vain endeavor to pour new wine into old bottles, the Conscience Whigs and the Free-soil Democrats threw the old bottle away and filled a new vessel with the divine spirit of liberty. In both the great parties now there is a demand for Civil-Service reform. In both parties that purpose is trying, not merely to frame the profession—which is a very easy process—but to direct the action of the party. God speed the good work! As yet, however, I repeat, neither the Republican nor the Democratic party, as such, is distinctly and consistently a Civil-Service reform party. A Republican may be of the strictest party orthodoxy, and yet despise and distrust reform. A Democrat may be of unquestionable party standing, and yet foam at the mouth at such a superhuman folly as that of not turning out every Republican in office when you have the power. The test of party principle is the allegiance of every member of the party. There was never an original Republican who was not opposed to the extension of slavery. There was never a Jacksonian Democrat who was not an enemy of the Bank. Civil-Service reform is not and never has been an indisputable Republican principle like the restriction of slavery; nor an acknowledged Democratic policy like the overthrow of the Bank.

There is, undoubtedly, a much more general and de-

cided reform sentiment among Republicans than among Democrats. But it is not yet strong enough to control the action of the party. The agitation was begun by a Republican representative, but reform was abandoned by a Republican Congress. The movement was renewed by a Democratic senator, but the Democratic party in his State refused to re-elect him. The bill introduced by him became a law in a Republican Congress, but by the vote of both Democrats and Republicans. National reform began under a Republican administration, State and city reform under a Democratic administration. In certain details of the service the reformed system is enforced both by Republican and by Democratic authority. But had reform been the Republican policy, the Republican House of Representatives three years ago would not have laughed it to scorn. Had it been the Democratic policy, Democrats would not have overwhelmingly sustained every effort to destroy it. Not yet can either party truly assert that Civil-Service reform is its peculiar and distinctive policy.

As the reform was not a distinctive party measure, the presidential election of last year did not turn upon it. The Republican Convention, indeed, made a very satisfactory declaration upon the subject. The Democratic Convention gave it a passing nod. But during the campaign it was only by an occasional speaker here and there that the question was discussed. The most active politicians in both parties were hostile to reform, and each party, wherever it had the power, in contravention of the fundamental principle of reform, ruth-

lessly levied political assessments. The Civil-Service Reform League, and the local associations of which it is composed, took no part whatever in the controversy. The officers and members, as citizens of the United States, took individually the course which seemed to them best fitted to promote the reform and the general public welfare. Many earnest friends of reform warmly supported the Republican candidate, and many as warmly supported his opponent. Mr. Blaine was not known to have shown any especial interest in the subject. Mr. Cleveland, as Governor of New York, had signed the reform bill. He had appointed a commission whose personal character and disinterested devotion to reform showed his perfect good faith. He had strongly urged the extension of reform to cities, and promptly approved the legislation to secure it. He had cordially co-operated with the State Commission in every branch of its work, and in their second report, transmitted to the Legislature on the 28th of January, 1885, the commissioners remark: "It is only justice to the retiring governor to say that the successful establishment of Civil-Service methods in the State of New York during his administration, and the acceptance of the reform by the public, are largely due to his intelligent interest in the subject, his fidelity to its principles, and his prompt and courageous action through all the stages of its progress."

The Democratic party, which nominated Mr. Cleveland for the Presidency, carefully avoided making reform an issue in any other sense than that of a universal change of the officers and employés of the government,

and nowhere in the Democratic campaign was reform discussed or demanded in the sense in which the word is understood by the League. The President, therefore, was not committed to the prosecution of reform as the candidate of a party which seriously desired it or promised it. But his convictions and official action upon the subject were familiar to the country, and it was because of them that he was nominated. Undoubtedly Mr. Cleveland was nominated and elected, not because his party desired reform, but because of all prominent public men in the country he had the conviction and the courage of a Civil-Service reformer. In the political situation of last year that consideration forced him as a candidate upon a reluctant party, and if he had not been identified with reform he would not to-day be President. The vote which held the balance of power between the parties was the reform vote, and without that he could not have been elected. His probable conduct as President was to be inferred from the very considerations which had compelled his nomination: from his official action as Governor of New York, from his public declarations, and from his character. To many friends of reform these were all full of encouragement. But many others, who did not doubt his conviction or his courage or his purpose, had the gravest apprehensions of his ability to withstand that party pressure for spoils which no President, Whig, Democrat, or Republican, has been able to resist, and which in the light of experience and of the actual situation last year seemed to many Republicans to forbid implicit reliance upon the party as an agency of reform; and still other friends

of reform regarded his declarations as unmeaning political professions, and did not care to inquire into his official fidelity to the reform law.

A very large part of the reform vote, however, had been alienated for other reasons from the Republican candidate. But, except for Mr. Cleveland's satisfactory position upon the question of reform, that alienated vote would have selected and supported another candidate, and Mr. Cleveland's opponent would have been elected. The President may well feel, therefore, that he holds his commission from a power beyond and above his party: the reform sentiment of the country. Although a party candidate, the circumstances of his election have invested him with an independence which no President since John Quincy Adams has known, but which the Constitution undoubtedly contemplates as the rightful quality of every President. The constitutional President is the chief magistrate of the people, not the mere head of a party; a head, as Pulteney said, "moved like that of a snake, by the tail." The circumstances of his election have given to President Cleveland what the spoils system absolutely denies to the mere head of a party, the ability to strike an effective blow for the constitutional independence of the chief executive.

What, then, is the condition of Civil-Service reform under the party change of administration? Five months only have passed since the inauguration of the President, and the astonishing progress of the cause which the League is organized to promote is shown by the fact that public opinion upon the subject is already so sound, it sees so clearly that a total change in the em-

ployés of the Civil Service for party reasons would be as absurd and demoralizing and dangerous as a total change in the military and naval service for the same reasons, that at last a President is able as well as willing to resist the party pressure for spoils. While many changes have been made—and many changes ought to be made for the highest public reasons—there has been no “clean sweep” of the public service. The reformed law within its limits has been executed with entire fidelity, and the country has seen with amazement and satisfaction the unprecedented spectacle of a Democratic head of department enforcing the appointment of a Republican clerk against the intrigues of Democratic subordinate officers, and despite the remonstrance of the Democratic representative in Congress from the clerk’s district. This, indeed, was but obedience to law, but it was the reform law, and a law which could be easily evaded. Beyond the requirements of that law, important administrative officers of the party opposed to the administration have been appointed and retained in positions commanding a large patronage. The interference of senators and representatives with executive action has been signally rebuked. Self-constituted counsellors, assuming to speak for the party, have been totally disregarded. Reasons for removals and suspensions, for which a party change of the executive has been hitherto ample explanation, have been frankly stated to the country. Useless places have been abolished. Satisfactory officers of the opposition party are serving out their terms. The chief criticism of the administration by the opposition is the assertion

that its action in appointments and removals sometimes flagrantly violates sound principles of reform. The awakened intelligence of the country watches and judges every appointment and removal in the light of these principles; and, best and most promising of all, the spoils politicians of the administration party, who hate to see the crushing yoke of a tyrannical system lifted from the neck of the independent American who asks to enter the public service upon American principles—by his own proved merit and not, according to old aristocratic methods, by the favor of a political “boss”—declare their willingness to vote against any Democratic candidate who is tainted with the principle of reform. In the presence of facts like these no friend of reform need feel discouraged. They are wholly without precedent since the introduction of the spoils system, and they forecast unmistakably the triumph of reform.

But under this administration also there have been violations of sound principles, serious mistakes and inconsistencies, unwise appointments and equally unwise removals. These, however, are not necessarily proofs of treachery or of hostility. During the late Republican administration and after the passage of the reform bill, there were constantly acts which were absolutely inconsistent with its spirit and principles. But it would be folly for that reason to charge deliberate bad faith upon the Republican President, or to allege that reform was wholly disregarded under his administration. When, therefore, we are considering what has been gained for reform upon the whole, what progress has been made while as yet neither party is truly a reform party, the

word "Higgins" is by no means a conclusive remark. The Higgins appointment, indeed, was a signal illustration of the abuse that we would correct. It was the appointment of a person publicly and responsibly accused of disreputable political practices, the explanation of which, if there be one, is not known, and an appointment made mainly at the request of a senator, a request which is in itself a gross offence, and which experience and reason show to be made presumably for a personal and not for a public purpose, a practice which promotes the most flagrant corruption. This is the Higgins case, and I know no satisfactory explanation of it. It is the ordinary case under the spoils system, yet it is now made the occasion of especial and continuous remark. If, however, it fairly illustrated the general practice of the administration, it would not be singular. Certainly the severest censors would not assert that the Higgins appointment is of a kind unparalleled under other administrations; and to allege that it is peculiarly offensive under Democratic ascendancy is to concede what is, of course, not intended, that more is to be expected from a Democratic than from a Republican executive. But the instance of Higgins and the whole Higgins school of appointments, although absolutely inconsistent with the reformed system, do not prove recreancy to reform so much as the infinitely more significant and important instances of Pearson, Graves, Burt, and others, prove fidelity to reform.

Undoubtedly, if the Higgins case were a fair illustration of the course of the administration, it would show plainly that it was simply a spoils administration, from

which reform has nothing to hope. But test the executive by its course in the city of New York, and see if it indicates more or less regard for reform than any administration, Whig, Democratic, or Republican, since the spoils system began. In that city from the time of Jackson, the chief national offices have been held to be peculiarly the spoils of the successful party in the election. The incumbents have been generally local politicians, appointed primarily for party reasons and not because of any especial knowledge, training, or fitness. They have been the chosen political lieutenants of the national administration, charged with the interests of its party in the State. The late Republican collector, an estimable and honorable gentleman, was appointed to supersede an upright and efficient Republican predecessor in the middle of his term, in order that the administration might have an especial political friend in the office. His appointment was not only a political act, but it was a decisive incident in a party controversy which rent the party asunder and stimulated the assassination of the President; and in the change of administration which followed and which brought another wing of the party into power, the collector, in obedience to the same theory, would undoubtedly have been replaced by another gentleman of the then dominant wing of the party, except for the circumstances of the death of the President and the natural and patriotic unwillingness of his successor to pursue under those circumstances a merely factional contest.

If President Cleveland had approved this practice, he would have acted accordingly. He is simple, firm, and

direct in all his methods. He has the full courage of his convictions, and if he had desired this tradition to be observed and the chief places in New York to be filled, not for efficient public service, but for the reward of the Democratic voters and for the maintenance of Democratic ascendancy in administration, he would have filled them all with skilful Democratic politicians. But apparently he considers such use of the authority committed to him as an abuse of a public trust. Attached by conviction to the Democratic party, and doubtless willing in every legitimate and honorable way to maintain its continued control of the national executive, he evidently does not think that such control is to be obtained at any cost, and does not hold the traditional practice of the last fifty years to be just or expedient or adapted to promote the public welfare. Undoubtedly he feels the truth of a remark of one of his immediate predecessors, "He serves his party best who serves his country most." But, however this may be, in strict accordance with his views, often repeated, the President has disregarded the evil traditions. He has reappointed the admirable Republican postmaster, thus retaining every meritorious subordinate in that vast office and lifting it out of politics. He has selected for collector, the term of the late collector having expired, a Democrat who is a business man unknown as a politician, and who says frankly that he has no time for politics and that he is pledged to conduct the custom-house upon purely business principles. He has restored to the naval office a Republican and a practical Civil-Service reformer to whom the cause, both in the State of New

York and in the country, is greatly indebted, and whom a Republican President declined to reappoint at the close of his term. He has promoted to the appraiser-ship a deputy appraiser who has been for many years in the service, who is confessedly a thorough expert and master of the business, a Democrat wholly unknown as a politician; and to the surveyorship a Democrat who declares his sympathy with reform, and who will be judged, as he would undoubtedly wish to be judged, by fidelity to his declaration.

The late naval officer and the surveyor, it is said, were displaced in the middle of their terms and without cause, a proceeding inconsistent with sound principles of reform. If those officers were not only honest and efficient, but were also heartily enforcing the reformed system, discarding political favoritism, absolutely prohibiting political assessments, and so earnestly observing the reformed system according to the letter and the spirit that the administration could depend upon their prompt and hearty co-operation in all measures for improving the methods of custom-house administration, the objection is well-founded, but not otherwise. An officer may be honest, but too strong a partisan or too closely wedded to traditional habits to be an effective agent in withstanding political influence and in reforming old methods. The reformed system leaves the power of removal unrestricted, and there are many just causes for removal which involve no question of moral character or the honest discharge of routine duty. When all criticism is made, the treatment of the New York offices is a signal proof of the sincerity and patri-

otism of the President, and a striking illustration of the immense and beneficial change which has been effected by an aroused public opinion. When this League was organized in this city in 1881, it would have seemed a mere extravagance to prophesy that within four years a President, nominated by a party which had been out of power for twenty-four years, would refuse, in the interest of the public welfare, to regard the custom-house and the post-office of New York as party spoils. And this he would have been unable to do except for the consciousness that his own views of public duty were shared and sustained by the conviction and desire of so large a body of his fellow-citizens that, in carrying those views into effect, he might truly feel himself to be the willing instrument of the intelligence and the patriotism of the country.

Meanwhile many changes are made in the service, and the administration is accused of removing efficient officers under the plea of offensive partisanship—a plea which is asserted to mean only that every Republican is in Democratic eyes an offensive partisan. That is undoubtedly true of the eyes of both parties in regard to opponents, and undoubtedly, also, any plea may be falsely alleged. But that fact does not destroy its force when truthfully urged. The tap-root of the evils and abuses which reform would destroy is the partisan prostitution of the Civil Service. Offensive partisanship is a phrase which fitly describes it, and such partisanship is properly held to be a just cause of removal.

No man had a more sensible and practical view of this subject than Albert Gallatin, Secretary of the

Treasury in Mr. Jefferson's administration. In the first months of that administration, after the first great party change in the executive, following a furious and exasperated political contest, Mr. Gallatin prepared a circular to the collectors of revenue, in which he said, with the hearty approval of Mr. Jefferson, that it was his desire that "the door of office be no longer shut against any man merely on account of his political opinions, but that, whether he shall differ or not from those avowed, either by you or by myself, integrity and capacity suitable to the station be the only qualifications that shall direct our choice. Permit me, since I have touched this topic, to add that, while freedom of opinion and freedom of suffrage at public elections are considered by the President as imprescriptible rights which, possessing as citizens, you cannot have lost by becoming public officers, he will regard any exercise of official influence to restrain or control the same right in others as injurious to that part of the public administration which is confided to your care, and practically destructive of the fundamental principles of a republican constitution." Forty years afterwards, in 1841, Daniel Webster, as Secretary of State, prepared the circular for President Harrison which echoed the views of Jefferson and Gallatin: "I will remove no incumbent from office who has faithfully and honestly acquitted himself of the duties of his office, except in cases where such officer has been guilty of an active partisanship, or, by secret means, the less manly and, therefore, the more objectionable, has given his official influence to the purposes of party, thereby bringing the patronage of the govern-

ment in conflict with the freedom of elections. Numerous removals may become necessary under this rule."

President Cleveland, in the same strain, said clearly and forcibly in his letter of December 25th, 1884, to the executive committee of this League: "There is a class of government positions which are not within the letter of the Civil-Service statute, but which are so disconnected with the policy of an administration that the removal therefrom of the present incumbents, in my opinion, should not be made, during the term for which they were appointed, solely on partisan grounds and for the purpose of putting in their places those who are in political accord with the appointing power. But many now holding such positions have forfeited all just claims to retention, because they have used their places for party purposes in disregard of their duty to the people, and because, instead of being decent public servants, they have proved themselves offensive partisans and unscrupulous manipulators of local party management. The lessons of the past should be unlearned, and such officials, as well as their successors, should be taught that efficiency, fitness, and devotion to public duty are the conditions of their continuance in public place, and that the quiet and unobtrusive exercise of individual political rights is the reasonable measure of their party service."

In declaring offensive partisanship to be a just cause for removal, the President confirms the views of Gallatin and Webster as approved by his predecessors Jefferson and Harrison, and in enforcing those views he acts upon the soundest principles of reform. That his dec-

laration is insincere is not proved by single instances of injustice in a service embracing more than a hundred thousand places, distributed across a continent; and that it is hypocritical pretence is neither consistent with his character nor with the fact that the great majority of place-holders are undisturbed. To remove a Republican officer for offensive partisanship is to give a moral pledge to the country that a Democratic successor would be removed for the same cause. It is an invitation to the severest public scrutiny of the conduct in this respect both of the officer and of the administration. Every community is interested to watch the event, to expose the offence, and to demand the removal of the offender, and no reason whatever has been shown to question the honesty of the President's declaration, nor the fidelity of his personal observance of it.

If, however, it should appear that such a clean sweep as is reported, and apparently correctly, to have taken place in the Claims Bureau of the attorney-general's office has been actually made, it is evident that the same praise cannot be awarded to that officer. The Claims Bureau employs an assistant attorney-general and six assistant attorneys. Their duty is the defence of suits brought against the United States in the court of claims. It is asserted without contradiction that these officers were swept out in one day, Republicans, Democrats, and non-partisans alike—for they were of every political sympathy—swept out without personal or official reasons alleged. Experienced officers were summarily replaced by inexperienced ones, and all was done, not for official reasons, but in deference to a demand of sena-

tors and representatives in Congress, and to make place for dependants selected by them.

If this uncontradicted report be true, there could be no more flagrant illustration of the shameful wrong of the spoils system than this submission of a branch of the executive department of the government to the dictation of members of the legislative department. The interference of senators and representatives with nominations and minor appointments in the Civil Service is not only without constitutional warrant, but it is an indecent and dangerous confusion of two functions which the Constitution carefully keeps distinct. The senator or representative who makes himself an office-broker to pay his own parasites from the public purse should stand well exposed in the pillory of public contempt, and by reason of such interference should forfeit the respect of the country and the confidence and support of his constituency. The law which already prohibits this dictation and interference in all cases included in the classified service should be amended, and should stringently prohibit them in all cases whatever. Such interference is the peculiar peril of the administration. And if the course pursued in the Claims Bureau should unhappily become the general policy, undoubtedly the whole force of the Civil-Service reform sentiment of the country would be strongly arrayed against the administration.

It will be remarked that the President's letter states that removals of satisfactory incumbents should not be made for partisan reasons "during the term for which they were appointed." But it is equally true that such officers should not be removed for such reasons at the

end of their terms. The administration, indeed, may very properly regard it as expedient for reform itself to seize the opportunity offered by the four years' law to equalize the important part of the service affected by the law between the parties, in order that each may have the same interest in the continued maintenance of the reformed system. This equalization, however, could be accomplished by means of such changes as ought to be made for legitimate reasons, without the removal of efficient incumbents who are not offensive partisans; and when once the equalization should be secured, the application of the reform to a much larger range of offices would virtually exclude the further mischief of serious partisan disturbance of the Civil Service. But to replace not only such incumbents as ought to be removed for just reasons, but also all satisfactory incumbents at the end of their terms by successors selected from another party, and selected for that reason, would result in a complete change in that part of the service during the administration, not for reasons of official conduct, which are the sole legitimate reasons, but for political and party considerations. If the plea offered for such a course should be that this service is now filled almost exclusively with the adherents of one party, it is plain that the result would furnish the next administration with the same plea for the same change, and so indefinitely prolong the abuse.

Indeed, to facilitate the abuse was the very object in substituting a four years' term for the constitutional tenure of honesty and efficiency. It was to place the whole Civil Service at the absolute disposal of the Pres-

ident, and enable him politically to change all incumbents without the odium of arbitrary removal. It is to make such a course difficult, and to impose upon the executive the rightful responsibility of direct removal, that we propose the repeal of the four years' law. On previous occasions the League has considered the reasons of the repeal. At present it is enough to say that, should it be the policy of the administration, under the four years' law, instead of reappointing satisfactory incumbents of places which, in the President's apt phrase, are disconnected with the policy of the administration, to displace them at the end of their terms for political reasons, the procedure would be the continuation of the old and mischievous practice from which the chief evil and perils of the spoils system spring. Such removal of competent and faithful and satisfactory officers has always resulted in summary and complete reprisals when the party control of the executive has again changed. The argument is unanswerable that, if political opinion and sympathy are just and adequate reasons for a change, and the power of making a change is unquestioned, the sooner justice is done the better. But the whole public service of an immense country, involving vast interests of every kind, cannot be arbitrarily and radically disturbed at every point without the utmost confusion and monstrous loss and peril. The change would become more and more the sole and absorbing question of the election. The election would become at last a civil convulsion. A peaceful issue would be always doubtful. With the rapidly increasing range of patronage and a highly organized

army of party stipendiaries distributed about the country and supported by the public treasury, the question of the Civil Service would undoubtedly soon change from one of reform to one of revolution.

There is no reason to doubt that this is as plain to the President as it is to us, and unquestionably it demonstrates that the security of reform must be always dangerously threatened until the four years' laws are repealed. This repeal must be urged more resolutely than ever, for it would be a formal restoration of the constitutional tenure and a declaration that removal should be made for legitimate official reasons only. Gratifying as the situation is, there must not be the least relaxation of our vigilance and activity in scrutinizing and criticising every instance of conduct inconsistent with the principles of the reformed system, and in defending the system against every attack. It is always a wise maxim for good citizens to remember, that nothing is done while anything yet remains to do. Undoubtedly we are soon to encounter the most resolute, shrewd, and deliberately organized assault upon the reformed system. The professional politicians in both parties, whom the spoils despotism has produced, are thoroughly aroused, and they will not relinquish it and the power which it gives them without a desperate struggle. The soldiers and sailors amendment of this year, very strongly supported in both parties, almost succeeded in practically nullifying the reform law in the only two States where such a law exists, and this attempt undoubtedly will be renewed. Already the thunder of Democratic discontent with the reform spirit

of the President is plainly muttering. Democratic senators and representatives in Congress and the Democratic press, with signal exceptions, are unquestionably hostile to reform as we understand it. The constitutionality of the reform law is denied, and it is proposed to test it in the courts, and an effort in the Democratic House to repeal it is not improbable. On the other hand, the Pennsylvania Republicans demand a fixed term of office with removal for cause. Leading Republican organs approve the demand. But fixed terms for the larger number of important offices, upon which the minor places are dependent, already exist. The passage of the laws which fixed the terms was the second great triumph of the spoils system. The repeal of these laws is the present legislative object of the League. It has been recommended unanimously by the committee in a Democratic House, and the demand of the Pennsylvania Convention, if made general, would array the Republican party against that object.

The assertion that without such a limitation there would be a life-tenure in any offensive sense, or that the Civil-Service Reform League advocates a life-tenure, is wholly unfounded. The Reform League leaves minor official terms and tenure where the Constitution and the contemporary congressional interpretation of the Constitution left them. It holds that the power of removal should remain absolutely unchecked, and believes that the principle of the reformed system restrains as far as possible the merely arbitrary exercise of that power. To make sure that removals shall be made for legitimate cause only, we must provide, so far

as law can accomplish it, that all appointments shall be made only for legitimate cause; and so long as the power of removal remains free, and while it is committed to agents appointed by officers whom the people elect, a life-tenure in any un-American or undesirable sense is impossible. The danger arising from the assumption of a vested right of office and the consequent negligence and arrogance of an official class is not to be apprehended from employés who may be removed at any moment; but it plainly lurks in abolishing the power of peremptory removal and conferring a right of office for a fixed period, forfeited only for cause to be judicially established. The adoption of such a policy by either party, like the passage of the exemption amendments, would be a serious blow at reform, and will be stoutly resisted by the League.

Such seems to me to be the present position of reform. I think no sincere friend of the cause in which we are interested believes that its promise is less hopeful than it was at our last meeting a year ago, or that it has retrograded during the five months of a new administration which expire to-day. I believe that any unprejudiced observer, Republican or Democrat, who considers the enormous difficulties and perplexities of the situation, and who looks solely at the interest of reform, will admit that, since the spoils system was first generally introduced into our national administration, no President has given such conclusive evidence both of his reform convictions and of his courage in enforcing his convictions as President Cleveland. Indeed, such an observer will not deny that the good cause is very

much stronger than it was a year ago, and that the action of the executive, with whatever inconsistencies and mistakes, has been of the utmost service towards the final overthrow of the odious spoils system which degrades our politics, disgraces our national character, and deprives American citizens in all parties of a free and equal chance honorably to secure a place in the public service. There is no higher patriotic achievement than this, and in the great controversy for administrative reform—the most important contest in this country since that of slavery—a President who has shown the fidelity to conviction, the official heroism, the confidence in the patriotism and intelligence of the people, displayed thus far by President Cleveland, unquestionably deserves the warmest support and the most generous consideration from all patriotic American citizens, whatever their party sympathies may be. As the great general—his predecessor—in the war for the Union fought, not for a section nor for a party, but for all sections and for every party, for America and for human liberty, and therefore, as he dies, is lamented sincerely by a grateful and united nation, the President, in resisting the powerful and evil influence which would degrade the public service into party spoils, promotes the highest welfare of that government of the people which Washington in our fathers' day established, and Grant in ours magnanimously saved. He may be well assured that the President who emancipates the public service from the degradation of the spoils despotism will be gratefully remembered with that other President who broke the fetters of the slave.

Gentlemen, the stars in their courses fought against

Sisera. But they fight for us. The desire of good government, of honest politics, of parties which shall be legitimate agencies of great policies; all the high instincts of good citizenship; all the lofty impulses of American patriotism, are the "sweet influences" that favor reform.

Sir Philip Sidney wrote to his brother upon his travels, "Whenever you hear of a good war, go to it." That is the call which we have heard and obeyed. And a good war it has been, and is. Everywhere, indeed, there are signs of an alert and adroit hostility. They are the shots of outposts that foretell the battle. But everywhere, also, there are signs of the advance of the whole line, the inspiring harbingers of victory. Never was the prospect fairer. If the shadows still linger, the dawn is deepening—the dawn that announces our sun of Austerlitz.

XI

THE SITUATION

AN ADDRESS DELIVERED AT THE FIFTH ANNUAL MEETING OF
THE NATIONAL CIVIL-SERVICE REFORM LEAGUE, HELD
AT NEWPORT, R. I., AUGUST 4, 1886

THE SITUATION

THE earliest historic legend of the State in which we are assembled is that of the Indian greeting to Roger Williams. As he coasted along the western shore of the Seekonk River, at the head of the bay, he heard suddenly a greeting in his native tongue, "What cheer? Ne-top, what cheer?" It was the voice of friendly Indians welcoming him to the State that he founded, and which, remembering his courage and his faith, has wisely chosen for its emblem the anchor, and for its legend the words "In God we hope." If now, mindful of the cause which brings us to the shores of Narragansett Bay, we should ask each other of Civil-Service reform, "What cheer, brothers, what cheer?" I, for one, should answer promptly, "Better and better cheer"; such cheer, indeed, as no association like ours ever enjoyed at its sixth annual meeting. Never were the skies so bright, never was the future so fair.

I am fully aware of the other view which is vociferously urged. I read every day in some newspaper that Civil-Service reform is now at last finally dead. But I have heard it so often and have been so constantly bidden to the obsequies, that I am very sceptical of its act-

ual decease. It is now twenty years since that worthy son of Rhode Island, Thomas Allen Jenckes, opened in Congress the great debate for reform, and at least half a dozen times since that happy day I have heard that reform was as dead as the alien and sedition laws of the United States bank. When Congress refused the appropriation to President Grant, I was sympathetically assured that the pretty bubble had burst. When President Hayes felt that his views were those of a small minority, but an exceedingly awkward squad for the party managers, and his action accordingly was very cautious, it was announced again that the humbug was exploded. When the House of Representatives, in 1882, for half an hour merrily kicked and cuffed reform and cut down the appropriation which President Arthur had asked, it was evident to many delighted observers that Sunday-school politics were "played out." When a large body of Civil-Service reformers supported Mr. Cleveland for the Presidency, it was angrily alleged that reform was betrayed and murdered in the house of its false friends. When inexplicable appointments and arbitrary removals and an apparent want of consistent adherence to principle have been pointed out under the present administration, the situation has been described as a wild saturnalia of spoils around the corpse of reform. Indeed, one thing of which in many willing minds there has been no doubt ever since the reform was born, is that reform is dead. If it were so, it would certainly prove that Death loves a shining mark, and he is supposed to be a sure marksman. But this time he has missed.

Public opinion upon this subject was never so aroused, so enlightened, and so determined. The wholesome purpose and sound reason of reform were never so generally and so clearly perceived, and it was never so plainly a pressing public question. There was never such a rattling of amazement and consternation among the dry bones of Bourbon party politics; never such a hysterical protestation upon the part of pedlers of patronage that the deluge would not be much of a shower after all; never such shuddering certainty in the minds of political money-changers that the people will presently scourge them with wrath out of the temple of liberty. Political assessments, the blackmail imposed by party freebooters upon the employés of the people, have been in great part suppressed, and have been permanently stigmatized as despicable. Arbitrary removals, which were the accepted and unquestioned practice of the public service, have not ceased, indeed, but they are now instantly challenged and exposed, and there is a distinct public sense of wrong in the act and a disposition to deal rigorously with any administration which is guilty of the offence. The recent debates in Congress upon the subject of reform; the eloquent silence of many leaders, no less than the hostile speech of others; the eagerness on one side to prove falsity to reform against the other, and the recrimination that the pot when in power had been as black as it now alleged the administration kettle to be; the acrimony, the sullenness, the avoidance of the vote on one side; the banter, the accusation, and the sarcasm on the other—all showed in that assembly, which talks always with its ear turned

towards the people, a universal consciousness that it was dealing with a question in which the country was profoundly interested, and which would exert a powerful influence upon the election.

It was quite right. The pricked bubble, the exploded humbug, the played-out Sunday-school game, the aristocratic device, the monarchical plot, the trick to retain Republicans in office, the un-American reform, slain and thrice slain, and dead as the bank or the embargo, will be for the first time a leading question in the congressional elections of this year. On one side, support of the administration will mean support of reform; on the other, opposition to the administration will mean denunciation of its infidelity to reform. The Democratic candidate this year need not protest the soundness of his views upon State sovereignty and a revision of the tariff, nor solemnly affirm his Jeffersonian principles; but he must announce his approval or disapproval of the President's course and so define distinctly his position upon reform. The Republican need not dilate upon protection and a gold standard, a free ballot and a fair count; but, while he is faithful to Republican traditions, he must declare unequivocally for appointments by proved merit and in an open and free competition. Let the Democratic candidate who holds with Senator Vance that reform is unconstitutional and un-Democratic, and consequently that the President betrays his trust in tolerating Republicans in the Civil Service, say so frankly and appeal for judgment. Let the Republican candidate who holds with Senator Ingalls that the Civil Service is spoils, that the spoils belong to the vic-

tors, and that Republicans ought to scorn to serve the country under a Democratic administration, say with equal frankness that the President betrays his party trust if he does not turn out Republicans. If the nominating conventions should omit to secure such an expression from candidates for Congress, the National Reform League will undertake to supply the omission. At last, said Wendell Phillips in 1860, after thirty years of antislavery agitation—at last the slave has elected a President of the United States. In 1882, at the annual meeting of this League, it resolved that for the first time candidates for Congress should be asked to express their views upon reform; and now, after a short but vigorous agitation of four years, it is evident that, under the necessary conditions of the election of this autumn, Civil-Service reform will be a distinct issue in the election of the Congress of the United States.

It is by such facts and such a situation that the progress of reform is to be estimated. Inconsistencies and failures in the practical enforcement of the principle may be deplored, but the advance of reform itself is now beyond the control of any administration. This year or another year may be a bad year for fruit, but none the less the fruit-trees are rooted fast in a kindly soil, and abundant and noble fruit is sure. The important question is not whether this or that executive officer respects the law, but whether the public mind is interested and aroused. The prosperity of reform lies in the condition of public opinion. Every good reform is a public conviction before it is a law, and the first demonstration of active and serious opposition is the unfailing

sign that, in the language of religious revivals, the public mind is under conviction. In my first address before the League, four years ago, I said that the battle with the spoils system had begun in earnest. In its nature it must be an obstinate and strenuous contest. We are in the midst of it now. The very vigor of the fight shows the strength both of the reform sentiment and of the spoils tradition. We have never anticipated, I am sure, an undisputed victory. We have never supposed that we should march as on parade, with the bands playing gayly, straight across the field of battle. We know too well the power of the evil intrenched in tradition and prejudice and ignorance and fierce party spirit to expect that the acts of any officer or the course of any administration not especially elected upon the reform issue and for the purpose of reform, however friendly to reform they might be, would be perfectly consistent and reasonable and free from reproach. In estimating the situation we do not accept, on the one hand, without qualification, praise of its own administration from a party which, as a party, has shown little sympathy with the distinctive policy of the executive; nor, on the other hand, can we heed denunciation of the reform course of the administration proceeding from the opposition party, stimulated by party spirit for a party purpose, and not intended to promote reform.

This League is the only organized and authentic national representative of the reform sentiment. I challenge any man to show that it has in any degree or at any time betrayed the trust voluntarily assumed by it,

with the approval of the locally organized friends of reform, of honestly and adequately representing that sentiment, and its criticisms and demands upon political parties and public men. The League has pandered to no personal ambition, to no party purpose. It has been no man's instrument nor has it been the organ of any faction. Upon the late party change of administration, on behalf of the friends of reform and in the public interest, the League addressed the newly elected President earnestly, commending to him the interests of reform; and in a forcible, unequivocal, and patriotic strain he responded, expressing the sympathy with the movement which he had practically proved as Governor of New York, pledging himself to the enforcement of the reform law in good faith, and to an observance of its spirit in selections for appointment beyond its range. A year and five months of his administration have now passed, and the time has arrived when a general survey of its action upon this subject and of the condition of reform under his administration is practicable and desirable. The executive committee of the League, therefore, recently appointed a committee of which I have the honor to be chairman, charged with the duty of reporting, first, concerning the enforcement and operation of the national Civil-Service law; second, concerning the principles and methods followed by the administration in making appointments, removals, and suspensions; and third, concerning the progress of the reformed system in State and municipal governments. The report of the committee will naturally embrace some of the topics to which I should otherwise allude in this address. But I

shall leave to that report of eminent representatives of the cause from various parts of the country to state authoritatively the judgment of the League upon the general course of the administration as affecting Civil-Service reform.

Apart from the details of the enforcement of the law and of executive action in regard to appointments and removals, there are three chief points of interest in the reform history of the year. First, the effort in Congress to annul the national law; second, the effort to destroy the efficiency of the State law in Massachusetts; and third, the introduction of the reform bill of Mr. Edmunds. The direct assault to repeal the national law failed in both houses of Congress. But the efforts at direct repeal were only rockets thrown up from a sinking ship. They served merely to cast a momentary light upon despair. The serious attack was of another kind. It was a proposition to make the payment of the salary of the Civil-Service commissioners contingent upon a change of rules by the President which would abolish competition and facilitate partisan appointment. It was an ingenious scheme to rebuke the President, to discredit the Civil-Service Commission, and to nullify the reform law. The fact that it was an attack by indirection, sure if it did not prosper to be disposed of by a point of order and without a record of the vote, showed that the leaders doubted its success. But they were willing to try the assault in order to prove their own hostility to the President and to show to their constituents that they were guiltless of reform and would gladly distribute spoils if only they could. In this last purpose

the effort succeeded, but not in rebuking the President nor in discrediting the commission.

It is unfortunate that the cunning method of the attack prevented a vote. But even had there been a unanimous adverse vote it would have shown, not that the House is an assembly of reformers, but only that representatives are aware of the quality and extent of the reform sentiment in the country. How little the undoubted desire of a great and intelligent public sentiment practically and permanently to establish the reformed system really animates Congress is shown by the little tricks that the House tolerated in the appropriation bill to evade the reform law. On the 17th of June, on the motion of Mr. Randall, the House of Representatives reduced the number of clerks within the classified service in the Patent Office by thirty, and increased the number of skilled laborers at \$840 a year from sixty-two to ninety-two. The object was evident. Examinations are not held for clerkships of less than an annual value of \$900. The so-called skilled laborers of the Patent Office, though employed chiefly on clerical work, have not been treated as within the classified service, although probably they fall within it. The amendment was passed by the House without a division, and was accepted by the Senate. Congress thus snatched a few small places out of the classified service and threw them upon the heap of spoils. The plea is that a few thousands of dollars are saved. The result is that the public service loses trained capacity, the law is evaded, the public offices are demoralized, and Congress is disgraced by a petty trick.

Such a trick would be impossible were there a sincere desire in Congress to secure reform. But there was no positive reform legislation during the session, and nothing in the action of either House showed any serious interest in the subject. Senator Hampton's bill making it a misdemeanor for a senator or representative to recommend or solicit appointments; Mr. Willis's to repeal the four years' law; Mr. Long's to repeal the tenure-of-office act; Mr. Cutcheon's for a bureau of Civil-Service appointments; Mr. Bayne's for the election of certain officers by the people; Mr. Cox's for an equitable classification and compensation of certain officers, were the other more prominent propositions affecting the Civil Service which were introduced. Some sleep in committee, some were reported, none have become laws. Whatever may be the assertion of party managers, nothing shows so conclusively that reform is in no proper sense the policy of either of the great parties as the course of Congress. No leader in either House is an aggressive Civil-Service reformer. No senator or representative has proposed to extend the scope of the reform law. Congress, indeed, is plainly conscious of the public interest, and of the rapidly increasing pressure of the question. But it is both angry and bewildered. The shepherds are in the fog and hate to try the upward path, and the sheep can only bleat plaintively for the lost pastures of patronage.

But while the negative conduct of Congress signally illustrates the indifference of party politicians, the action of one of the chief bureaus of administration in the Treasury Department happily illustrates the results of

sincere, intelligent, and courageous fidelity to reform. The Bureau of Printing and Engraving controls more patronage of places not included in the classified service than all the other Treasury bureaus combined. It has been notorious as the refuge of parasites of the most unscrupulous spoilsmen, and an investigating committee of experts in the Treasury, of the same party with the chief part of the force employed in the bureau, reported a few years ago that the vicious circle of lavish appropriation and of appointment by political influence had led to the employment of a force which in some divisions was twice and in others three times as large as was necessary, and that more than half the force in the bureau might be dispensed with. Soon after his inauguration President Cleveland appointed the chairman of this committee to be chief of the bureau. During the first thirteen months of his control, ending on the first of July, there have been but seven permanent original appointments, all of which were to places that it was absolutely necessary to fill. Three persons also have been appointed in the place of relatives who had broken down in the service, and fifteen of the most deserving of the employés who had been discharged in order to reduce the force have been recalled to the service as they were needed. No person has been discharged for political reasons or to make place for another. Since the first of March, 1885, the force of the bureau has been reduced by three hundred persons. Of the appropriations made for its support for the fiscal year 1885, \$73,000 were returned to the Treasury unused, and there will be an estimated saving of at least \$175,000 in the

appropriation for 1886, making an aggregate saving of about \$250,000 in this single branch of the department under this administration, and all that has been done has received the most cordial support of Mr. Manning, the Secretary of the Treasury. This is Civil-Service reform. This bureau is what every bureau in the public service might become with incalculable advantage to the country, to political morality, and to the true function of party in a republic, which is not to distribute patronage, but to determine policy. But such a beneficent and remarkable administration of an office is impossible except upon the condition that happily exists in this bureau. There must be at the head of the office the same thorough belief in reform, the same ability and intelligence and courage to enforce it, which distinguish the head of the Bureau of Printing and Engraving, one of the earliest and most efficient friends of reform in the country, Mr. Edward O. Graves.

I can only mention the second point, the persistent and significant effort of the Massachusetts Legislature, by an overwhelming majority, practically to repeal the reform law of that State—an effort which was eloquently and indignantly opposed by every veteran who took part in the debate, except the author of the bill, and which was happily baffled by the forcible and conclusive veto of Governor Robinson. The frank and earnest opposition of the veterans proved that it is a gross dishonor to the men who offered their lives in defence of a Union founded upon equal rights and equal laws to assert that, not content with the consciousness of duty well done, and with the national gratitude manifested in

pensions, in homes and hospitals, and in friendly preference wherever preference is justifiable, they demand the repeal of equal laws, carefully designed to promote the general welfare and universally acknowledged to be effective to that end. It was the veterans in the Massachusetts Legislature who opposed the repeal of the reform law, not the politicians who pressed it, who truly represented the spirit which inspired the soldier and sailor of the Union from Fort Sumter to Appomattox, from Dupont and Ward to Farragut and Porter.

The third chief incident in the annals of reform for the year is the bill recently introduced in the Senate by Senator Edmunds. It is a bill of great importance, into the general discussion of which I cannot now enter. But two of its provisions demand our most careful attention, for while this League seeks the repeal of the four years' law, the Edmunds bill proposes to re-enact it; and while the League would leave the power of removal to the appointing officer and destroy the motives for its unjust exercise, the Edmunds bill would confer that power upon the United States judges. The passage of this bill would confirm and perpetuate one of the most mischievous abuses in the government. Miss Salmon, in her "History of the Appointing Power of the President," is not extravagant in saying of the four years' law, "Never in the whole history of the legislation of a hundred years affecting the appointing power has so disastrous a measure been enacted." It practically places the whole body of important subordinate offices, upon which depends the vast ramification of minor employments, at the disposal of the President during his

term. It enables him to change the entire force of the Civil Service without the odium of arbitrary removal. It was, indeed, the four years' law that introduced the practice of such removals and began the sophistication and corruption of public sentiment which are revealed in the familiar assertion that a clean partisan sweep of the public service is the intentional and logical result of an election. The truth is otherwise. Mr. Randall, the biographer of Jefferson and as strong an anti-Federalist, admits that even after Jefferson's election minor offices were understood to be held upon the constitutional tenure of good conduct; and Mr. Calhoun, in 1835, states that arbitrary removals were of recent date, that is since 1820, when the four years' law was passed. Mr. Benton said truly that the expiration of the term was regarded as the creation of a vacancy to be filled by a new appointment; and in 1826, six years after the passage of the law, the select committee of the Senate recommended its repeal, because the law operated against its own intent and served to turn out faithful officers instead of retaining them.

The forecasts of Jefferson and Madison in regard to the mischievous results of the four years' law have been amply verified by experience. It has been one of the great bulwarks of the spoils system and has been vigorously defended by every party buccaneer. Even when there has been no party change of administration the vacation of the offices by the expiration of the term has opened the opportunity for gratifying factional feeling. In 1882 I pointed out that, of 825 officers whose terms had expired in nine months of the late administration,

nearly half had been dropped from the service. If 825 offices, nearly one quarter of the 3400 or 3500 subject to executive nomination, and filled by members of his own party, had not been vacated by law within the space of nine months, is it probable that the President would have vacated them within that time either by his own act or by an appeal to a judge? Is it conceivable that of those 825 officers nearly one half were unfit for their positions? Is it doubtful that the most desperate and unscrupulous of partisans in every political contest are officers who know that the chance of their own support and that of their families depends upon the result of an election? Manly independence and self-respect must be necessarily destroyed, and the public service consequently demoralized by the knowledge that honesty and ability and experience and industry and efficiency will be of no avail to retain men in their employments if a party administration or the factional control of their own party should change at the end of four years. A limited term for the minor appointive offices is a direct incitement to intrigue and fraud and falsehood. It is a folly unknown in private business, and it deprives public employment of that incentive to diligence and efficiency, and destroys that mainspring of honorable self-respect, the peaceful consciousness that success depends upon merit and not on favor, and that fidelity and competency are the guarantee of continued employment and promotion. After the discussions of recent years the deliberate re-enactment by Congress of the four years' law would plainly contemplate and sanction a clean sweep of the service with

every party change of administration as fast as official terms should expire. The President would be invited by the law itself to reward his own partisans, as every day placed offices at his disposal. The Civil Service would become, with the express approval of Congress, a mere treasury of party spoils.

The Edmunds bill is in fact a bill to enact and legitimate all the evils of a clean sweep. Would they be obviated by the extraordinary provision of judicial suspension and removal, which is another proposition of the bill? I think not. This provision would at most prevent only the arbitrary dismissal of incumbents during their terms. But it would not affect the essential evil of a four years' law, which is automatic removal, removal by the expiry of the term. If dismissal without reason during a brief term is wrong, dismissal without reason at the end of such a term cannot be justified upon any sound business principle. Reform, as we understand it, seeks to take the whole non-political public service out of politics. But the Edmunds bill thrusts it into politics. There is nothing in the provision for judicial suspension or removal during the term which would restrain the mischief in the least degree. The service would be necessarily partisan, and a partisan service would be what it has always been, the most despotic, unscrupulous, and debasing of party machines. It is true that the present reform law leaves the executive choice beyond the classified service entirely untrammelled. But the spirit of the law forbids the abuse both of the power of removal and of appointment throughout the unclassified service, while its warmest

friends seek to strengthen the reform of which it is an active agent by the repeal of the four years' law. In the situation which the Edmunds bill would invite, the only restraint upon the complete prostitution of patronage to party would be the chance of a reform President. But this would be but a momentary relief, and the chance of a reform President would certainly not be increased by the unrestricted power of filling the whole public service with active personal partisans. When Madame de Staël said to the Emperor Alexander that a despotism may be beneficent, he answered, "Yes, madame, but it would be only a happy accident." The reform of the Civil Service must not be left to a happy accident.

But while the method of removal which the bill provides would not remedy the immense evil which the bill promotes, what would be the effect upon the discipline and efficiency of the service itself? The bill provides for removal for cause, to be determined by judicial authority. But such a law would logically and inevitably affect the whole service. If the President could remove a postmaster only for cause satisfactory to a court of law, it would be manifestly unjust to permit the postmaster to remove a clerk without cause determined with similar care. The result would be intolerable. The right of counsel and the forms of law would be invoked; the whole legal machinery of mandamuses, injunctions, certioraris, and the rules of evidence would be put in play to displace a slovenly postmaster or, on the other hand, to keep an incompetent clerk at his desk or a sleepy watchman on his beat. Cause for the

removal of a small collector, or a letter-carrier in the post-office, or an accountant in the custom-house would be presented with all the pomp of impeachment, and established like a high crime and misdemeanor. The discipline of the service, upon which its efficiency depends, would be ruined. If the appointing officer, from the President to the head of a bureau, were obliged to prove negligence, or insolence, or want of quickness, or any of the myriad forms of inefficiency in a subordinate, as he would prove a charge of theft or arson, the officer's good-nature would recoil, and there would be no removals except for offences of which the penal law takes cognizance. The superior officer would endure much and long rather than bring a suit against a subordinate for unpunctuality or laziness, official discipline would disappear, and the efficiency of the service would be fatally impaired. Moreover, when removal should depend upon the judgment of a court, it would be always and justly regarded as a stigma upon character. Removal for cause, therefore, if the cause were to be decided by any authority but that of the superior officer, instead of improving, would swiftly and enormously enhance the cost by ruining the efficiency of the public service, by destroying subordination, and making every lazy and worthless officer or clerk twice as careless and incompetent as before.

I do not, indeed, forget the wanton outrages of removal in the public service, nor the unhappiness and despair which they produce. Undoubtedly the larger part of the personal suffering and injustice arising from the vicious system of treating the public service as

party spoils is due to arbitrary partisan removal. This wrong is not disposed of by saying flippantly that the persons removed have had their share and ought to give way for others. This is merely pleading the absurdity known as rotation in office, which as a principle or a practice in the minor service means nothing whatever. It is a phrase implying an equal sharing of public places among the people. But there is no such thing as sharing the public places, because there are not enough for all. If everybody is to be paid out of the public treasury for doing his political duty, it is obviously absurd to permit anybody to be paid for four successive years. That would be a wicked monopoly. Even with a term of four months we should not all get a chance at the treasury, and the four years' cormorants would evidently take the bread out of the mouths of the rest of us. If Tim is entitled to a place because he has worked for the party, so is Tom. And upon this principle of rotation, if there are not places for both of them, all the Tims who are appointed ought to divide their wages with all the Toms for whom there are no places. When Silas Wright called rotation in office a cardinal republican principle, let us hope that he meant rotation in offices for which the Constitution provides the opportunity of rotation, and not in the vast multitude of subordinate employments in which equal rotation is absolutely impossible, and in which, if it were possible, it would be absurd.

The doctrine of rotation in office is justified by its advocates upon two grounds: first, that there should be no vested right in office; and second, that in public

offices there is always a tendency to mere routine, which operates as a kind of dry-rot of official vigor and efficiency. But both pleas vanish in a system where the power of removal is unrestricted. No man holds a vested right in public office who holds, as in private business, at the will of a superior, and the remedy for inefficiency lies, as in all other well-conducted business, on the responsible head of the office. When it is once determined that public business shall be transacted like private business, the question of removal will need no such grotesque solution as that of the Edmunds bill. The question of removing a private book-keeper or engineer is not referred to a court of law; and when a merchant's clerk is inefficient or unsatisfactory, and is consequently dismissed, he does not argue before a United States court his right to hold his place for three years or for three days longer. In re-enacting the four years' term, thereby sanctioning the abuses known as a clean sweep and partisan rotation in office, and in separating the executive power of removal from the executive power of appointment, the bill of Mr. Edmunds violates what we believe to be cardinal conditions of thorough reform in the Civil Service.

There is one other plea for rotation in office which is the final defence of the system that makes spoils of the public service. It is asserted that our government is a government of party, and that thorough party organization and effective party diligence would be impossible without the reward of place. It is contended that the spur of party ambition in great party leaders, in Pitt or Fox, in Clay or Calhoun, in Gladstone or

Disraeli, is the desire of reaching great place to direct an imperial policy. If Clay may properly aspire to be President and claim the Presidency as a reward of illustrious party service, why should the same desire and the same claim in a small and humble degree be denied to the follower of Clay who cannot make a speech, but who can bring out the voters? This is a plausible plea, but even when sincere it totally misconceives the facts. In a free country, undoubtedly, political ambition is the ambition to govern, and when great questions arise and the country divides upon great policies of government, those who by resistless argument and burning appeal successfully mould public opinion are naturally placed where they can make that conviction law and enforce it in administration. This is the legitimate result of the successful appeal of political leaders to the country. But neither Clay nor Van Buren nor any other American citizen could claim the Presidency on any ground whatever; and to argue that a man who brings out the voters and "treats the boys" and "runs the machine" should be set to appraising muslins or weighing spices or keeping books in a public office, upon the same principle that a party leader is called to organize the measures of the policy which he has proposed and which the country has approved, is to insult the public commonsense.

The legitimate and healthy contest of parties in a republic is not to be deprecated. It is the controversy of principles, the argument of policies, the great contention to which the political genius of the English-speaking race especially inclines. But patronage de-

stroys legitimate party action, and the reckless party spirit, against which Washington bequeathed us his last and most solemn warning, constantly strives to substitute personal and private ends for public purposes, and to make party contest a struggle for the public money in the emoluments of petty place, instead of a great appeal to the country for a public policy. Thus the spoils system, instead of promoting the just objects of party, degrades and demoralizes party itself and destroys its true function. To say that the distribution of non-political places, as rewards, among a few parasites of politicians whom the parasites hold in higher place, is essential to party, is false, because it destroys the legitimate reason of party. But to plead that it is indispensable to general and active interest in politics is to argue against facts and experience as well as against reason.

The first great party change of administration in our own history followed the election of Jefferson. In less than ten years this party had prevailed over the party of Washington and Jay and Hamilton, and was thoroughly organized, enthusiastic, and triumphant. But it had advanced to national supremacy not only without the control of the patronage, but without the hope of it. Not only had it no such excuse for assessing or such means of disciplining its members, but there was no promise or general expectation of obtaining place by a clean sweep of Federal office-holders. "Some removals," said Jefferson, "I know must be made. They must be as few as possible, done gradually, and botomed on some malversation or inherent disqualifica-

tion. Good men to whom there is no objection but a difference of political opinion, practised on only so far as the right of a private citizen will justify, are not proper subjects of removal." These were Jeffersonian principles. They are absolutely and directly opposed to the Jacksonian principle that to the victors belong the spoils of the enemy. These are the principles of Washington as well as of Jefferson ; the principles of true democracy, not in the party sense, but in that sense in which every true American is a democrat. Reform in the first party change of administration did not mean turning out honest and efficient postmasters and night-watchmen and messengers as rascals. It meant strict construction of the Constitution, restriction of national powers, the fostering of State sovereignty, reduction of taxes, and economy and simplicity in government. It did not mean a clean sweep of minor places, for there were fewer places upon the national register when Jefferson was inaugurated than there are now upon that of the New York custom-house alone. That single fact proves the absurd untruth of the assertion that the prospect of spoils is the spring of party activity.

The election which has just aroused and shaken the British empire from sea to sea, and which the *London Times* said was to determine the most momentous issue ever decided by a general election in England, is a signal illustration of the legitimate contest of party. It was a tremendous controversy upon a great national question. Every intelligent Englishman and Scotchman and Irishman was as earnestly interested in that election as every patriotic American was absorbed in

the great contentions that preceded and accompanied our war for the Union. The whole world watched the conflict and anticipated with eagerness the result. Does any American suppose that it was a struggle for the post-offices, and that it would have been a very languid election except for the prospect of small clerkships, messengerships, and a clean sweep? Mr. Gladstone answered him long ago, "We limit to a few scores of persons the removals and appointments on these occasions," and again, "We have abandoned that power [of filling the minor places], we have thrown every one of them open to competition;" and he adds, "And in order that the public service might be, indeed, the public service; in order that we might not have among the civil officers of the State that which we complained of in the army, namely, that the service was not the property of the nation, but of the officers, we have now been enabled to remove the barriers of nomination, patronage, jobbing, favoritism in whatever form; and every man belonging to the people of England, if he so please to fit his children for the position of competing for places in the public service, may do it entirely irrespective of the question what is his condition in life, or the amount of means with which he may happen to be or not to be blessed."

These words describe the great purpose of this League, a purpose which with every day is more widely approved by the country, and is therefore constantly nearer accomplishment. There is nothing so essentially Republican, nothing so distinctively Democratic, as Civil-Service reform. The measures which the practi-

cal progress of reform now requires are the rapid and steady extension of the classified service into every branch of the administration to which its principles properly apply, the repeal of the four years' law, and the summary removal of officers who evade or defy the letter or the spirit of the reform law or interfere in nominations and elections. The unmistakable evidence of determined purpose in the superior officer is felt by every cabin-boy on the ship, every private in the ranks, and it is the most effective moral tonic, whether in an actual battle or in the peaceful controversies of reform. Every man, whether in public place or in private life, who believes that a thorough correction of the dangerous abuses of patronage is indispensable, and who holds that a system of the public service which was wise and practicable under President Washington is practicable and wise under President Cleveland or any other President, but who comprehends also the necessary bitterness and tenacity of the contest in which we are engaged, may well ponder the remark of the Yankee to his antagonist, "Wal, I s'pose you're pretty ugly, but I cal'late I'm a darned sight uglier." If there is any cabin-boy on our ship, or any private in our ranks, who is not full of that spirit and who does not already hear the bugles of victory in his heart, I do not know where to look for him.

XII

THE ADMINISTRATION AND REFORM

AN ADDRESS DELIVERED AT THE SIXTH ANNUAL MEETING
OF THE NATIONAL CIVIL-SERVICE REFORM LEAGUE,
HELD AT NEWPORT, R. I., AUG. 3, 1887

THE ADMINISTRATION AND REFORM

IN one of his speeches during the memorable debate with Mr. Douglas in Illinois, Mr. Lincoln said: "In this and like communities public sentiment is everything. With public sentiment nothing can fail; without public sentiment nothing can succeed. Consequently he who moulds public sentiment goes deeper than he who enacts statutes or pronounces decisions. He makes statutes and decisions possible or impossible to be executed." To influence this sentiment is the object of this League and of the various associations of which it is composed; and therefore, if we would estimate correctly the conditions and prospects of reform, we must ascertain accurately the state of public sentiment. Practical disregard of sound principles by executive officers is not so significant as the fact of the rapid and unquestionable growth of a public sentiment which scrutinizes and condemns as injurious to the public welfare practices which were but recently universally justified as belonging to popular institutions and essential to government by party.

The movement of public sentiment may be measured in many ways, especially in the discussions of the press

and in public speeches. Until the pension vetoes and the recent orders in regard to the return of rebel flags, partisan hostility to the present administration expressed itself chiefly in censure of its failure to conform to an absolute standard of reform—a conformity, however, which the censuring party does not affect to maintain wherever it has control. This censure and the continuous discussion imply, and imply justly, a general and profound interest in the subject. The division in the administration party, which is obvious and undeniable, springs from the same question and is another striking illustration of its strong hold upon the public mind. Moreover, the possible success of the Democratic party in the election of next year undoubtedly depends upon its renomination of the President who is identified in the public mind with the cause of reform; and it is equally beyond question that if the President should formally renounce the reform principles that he has declared and which he honestly cherishes, and should frankly announce that the general political reconstruction of the Civil Service which I regret to say has taken place under his administration is due to a change of conviction upon his part in favor of the spoils system, he would be abandoned by so large a body of citizens as to bring his re-election into serious peril.

These are all unmistakable signs of the rapid growth of a public sentiment friendly to reform. But there is another which is very significant. To learn the actual condition and tendency of the country, we must not listen to party orators at party meetings held to promote party success, but to the same orators upon occasions when they put aside the partisan for the patriot,

and speak as American citizens anxious to discern the actual situation, willing to recognize dangers and to discover remedies. The most striking discourses of this kind during the present summer by men eminent in public affairs, but of scholarly interests and training, have described in glowing words the conspicuous materialism of our national prosperity, and have pointed out as the most threatening of national perils the corruption in politics which such materialism inevitably generates. A hundred and sixty years ago England, after her long civil strife, entered upon an era of peace and prosperity under the guidance of Sir Robert Walpole. "He gave Englishmen no conquests," says Thackeray, "but he gave them peace and ease and freedom; the three per cents. nearly at par and wheat at five and six and twenty shillings a quarter." This he did, but to do it he gave them also such flagrant political corruption that a few years later nothing but the lofty courage of Chatham saved England from total humiliation; while, relying upon the system of corruption which Walpole had introduced, George III. openly began to buy back the royal prerogative of the Stuarts and to undo the work of liberty for a hundred years.

Amid the brilliancy of our material prosperity the same corruption discloses itself in a thousand forms. The recent trial of Jacob Sharp in New York shows both the nature and the scope of the danger. "You, the people of the State of New York," said one of the counsel of Sharp, addressing the jury, "cannot convict me of bribery unless you put men in office who will not take money. Why, no man can get a bale of goods

through the custom-house without paying money to some officer. No lawyer can go to the register's office without paying money which the law does not demand." The counsel might have spoken much more strongly. He might have said with truth that legislators are bribed and legislation bought; that little offices and great offices, by the practice of political assessments and by the organization of political methods, well called the machine, are sold to the highest bidder; that property holders, to secure their property from wanton spoliation by legislation, are forced to buy votes as they would pay ransom to highway robbers; and that great corporations, in the phrase made familiar in one of the most monstrous scandals of the kind, keep a cohort of legislative lobbyists to place the money of the corporation where it will do the most good. We constantly say to all who propose revolutionary remedies of what they hold to be intolerable wrongs, that the laws are made by the majority, and therefore that they must seek a change of laws by changing public opinion. But when they answer that the laws often do not represent the will of the majority, but of corporate or other minorities bribing legislators and buying legislation, what is our reply?

Mr. Bishop, in an address to the Commonwealth Club, in New York, last March, tells us that in every general election in that city about \$700,000 are spent. Of this amount the city contributes for legal expenses \$290,000, and of the remaining \$410,000 about \$200,000 are obtained from assessments upon candidates, upon office-holders, and contributions from rich members of the party. Mr. Bishop specifies—and his figures have not

been challenged—some of the assessments. A candidate for the mayoralty is assessed from \$25,000 to \$30,000. Judges in the supreme court and the common pleas from \$10,000 to \$15,000, register from \$15,000 to \$40,000, comptroller, sheriff, and county clerk \$10,000, district attorney \$5000, representatives in Congress \$10,000, and members of the State Assembly from \$500 to \$1000. The nomination to these offices is thus publicly sold. There is an understanding that many of the buyers not only will reimburse themselves, but will gladly pay the amount of the assessments for the pecuniary value of the opportunities of the office.

This is a situation which is not less alarming because it is familiar. A republic has no charm to stay the eternal laws. No corporate power can bribe them ; no marvellous invention outrun them ; no splendor of material prosperity can dazzle them. Speaking of the true welfare of States, George Mason of Virginia said, "By an inscrutable chain of causes and effects Providence punishes national sins by national calamities." But in the situation with which we are familiar the startling fact is not so much the corruption as the spirit which accepts corruption as necessary in politics, and which ridicules vigorous protest and resolute action against it as pharisaic cant, and derides the man who insists upon honesty in public life as a guileless cherub astray from Paradise, or a sneaking hypocrite who is holding out to sell himself for a higher price. "Is there no remedy for these evils?" asks ex-Governor Hoadly in his address a few weeks ago at the Dartmouth Centennial of the Phi Beta Kappa ; "the difficulty is to convince the American

people of the need of remedial action. Once awoken the conscience of the people to wrong, and they will correct it. The spoils system and the use of money in elections, twin mis-begotten monsters, will die just as soon as the American people are persuaded of their danger." This is the response of to-day to Lincoln's words, "With public sentiment nothing can fail, without it nothing can succeed." And one reason of the deep and increasing interest in Civil-Service reform is the perception that a movement based upon the principle that public office is a public trust, and not a private favor or a selfish opportunity, begins the cure of political corruption by withdrawing from it the public countenance and justification.

Every year we come here to note the progress of that movement, and whatever may be the yearly report of legislative or executive action, either in the nation or in the States, no man can doubt the rapidly extending demand of public sentiment. It is equally undeniable that official action does not advance with equal steps. It is true that no violation of sound principle in legislation upon the subject, or in executive appointment or removal, now occurs without a peremptory public challenge and intelligent public condemnation. But such violations are still many and unjustifiable. They are still too many and flagrant. A few weeks since the Republican Legislature of Massachusetts, by a vote of 158 to 37 in the House of Representatives and of 21 to 9 in the Senate, passed a bill, which is substantially that which Governor Robinson vetoed last year, permitting all honorably discharged soldiers and sailors to be ap-

pointed to any office or employment in the State or city service without the examination required by the reform act. Dispensing with this examination, the law requires no other, and apparently leaves the appointing officer to appoint at pleasure. Upon signing the bill, the governor, with a singular misconception of the trust confided to him, authorized a statement that the large vote in the Legislature seemed to show that a great majority of the people favored the measure, and that he did not think the change would seriously injure the service. It would be interesting to know just how much injury his excellency thinks the laws may properly inflict upon the public service.

The objection to the bill is not that it professes to befriend veterans, for whom the American people have certainly proved their high and constant regard, but that it does not favor veterans as such, but only those among them who can command personal influence, and thus, while ignobly discriminating among veterans themselves, creates a privileged class among the whole body of citizens, and establishes a privilege not founded upon special or proved qualification for the service required. There is every reason that honorable veterans should be justly favored by the States and country which they have saved. But there is no reason whatever that the country or the State should not require tests of fitness for public employment, or that this requirement should be abolished at the pleasure of public officers for party purposes. The blow thus dealt to reform in Massachusetts, however, does not show a reaction of public opinion, because it was delivered under the pretext of grate-

ful regard for deserving soldiers and sailors. But it is none the less a sign of the unrelaxing hostility of professional politicians to a reform which, by destroying mere favoritism and respecting merit in the public service, necessarily makes their trade less lucrative.

In the State of New York, the only State besides Massachusetts in which the reformed system is established by law, it is authoritatively reported that the Democratic governor has asked for the resignation of the State Civil-Service Commission. The only plea that I have heard urged in justification of this reported action is that the commission is designed as a kind of confidential personal council or executive bureau, a theory which is not justified by the law, and which, if it were so justified, would certainly authorize the retention, for the remaining third of the governor's term, of a commission which he has found satisfactory during two thirds of it, and against whose fidelity and absolute impartiality he is understood to prefer no charge. The law gives the governor the unrestricted power of removal, but of course it contemplates the exercise of the power only for legitimate reasons affecting the public service. The power of removal no less than that of appointment is a public trust, and it cannot be rightly used arbitrarily or for any other cause than the public interest. Such cause should be publicly assigned and recorded, that the people may clearly understand the reason of the change in the service. Removal from office is an executive act of which the executive should bear the whole responsibility, and it is a betrayal of trust and a forfeiture of self-respect for a public officer

to make the abuse of the power of removal easier by resigning at the mere request of an executive who offers for the request no reason but his pleasure. Yet, even without a statement of legitimate reasons for his action, the removal of the commission by a governor known to be in hearty sympathy with the law, anxious to promote its objects, and possessed of the full courage of his convictions, might be accepted as an act designed to strengthen the reformed system. But, unhappily, the governor of New York has not impressed the State as so earnest and devoted a friend of reform as to compel the immediate and universal conviction that he would desire a change of the commission for the purpose of securing a more thorough and effective enforcement of reform.

These are signs of executive and legislative reaction in the two States in which the reformed system is established by law. Upon the progress of reform in the national service the special committee of the League made its report at the end of March. Its general conclusions are expressed in one of the last sentences of the report: "Much has been done concerning which, as friends of reform, we have frankly expressed our unequivocal disappointment, and much also that has justified the high expectations which were based upon the declarations of the President before his inauguration. The future action of the administration upon this subject, therefore, will be watched with profound interest as determining the final public judgment of its relation to Civil-Service reform." The committee alluded to the apprehension of some earnest friends of reform that, before

the close of the administration, a complete partisan change in the service might be effected. But it declared that the failure of the administration in this respect would not affect the value and significance of the progress which the question of reform in the Civil Service has already achieved.

Two years ago, five months after the inauguration of President Cleveland, I reminded you that, in considering the condition and prospects of reform, we viewed the question, not as supporters or opponents of his administration, or of any administration, but solely as friends of Civil-Service reform. I said, also, that reform had never been the distinctive policy of either of the great national parties. Now that two years have passed and more than half the term of the administration has expired, it is in the same spirit and with the same conviction that we are to look at the situation. It is now possible, I think, to judge correctly the course of the administration in regard to reform, and I regret to say that during the two years and five months of its existence, while the reform law has been respected within its limited range, and while there are unquestionable and encouraging signs of progress, yet, according to information which is undoubtedly authentic, there has been a very significant change in the Civil Service. In some of the departments at Washington this is less apparent than elsewhere. But in a survey of the whole service there has been almost as complete a change as was practicable, since an entirely new force of totally inexperienced officers would have prevented the regular transaction of the public business.

A few figures will illustrate the scope and significance of the changes. The number of employ  s of the government of all kinds contained in the official register is about 115,000 or 120,000. Of these, about 14,000 are included in the classified service, which covers about 5650 places in the departments in Washington and 8263 in the postal and customs service elsewhere, distributed among twenty-eight post-offices and eleven custom-houses. Outside the classified service all the minor places are held at the pleasure of certain superior officers, mainly postmasters, collectors of customs and internal revenue, surveyors, and other port officers, marshals, district attorneys, and land officers. These are the effective agents when the service is made a political machine, and upon them a very large proportion of the subordinate places depend. To effect a virtual clean sweep, therefore, the change of a certain number and class of officers only is necessary. The number of chief officers, including postmasters, collectors, land officers, and many others, is about 58,000. Of these chief officers apparently about 45,000 or 48,000 have been changed, and the change in these offices implies a change also in all places dependent upon them. The changes cover deaths, resignations, justifiable dismissals, and reappointments upon expirations of terms. Of about 2400 presidential postmasters, who serve four years, a very inconsiderable number have been reappointed, and all but 300 or 400 have been changed. All of the 85 internal-revenue collectors have been displaced, and of the 111 collectors of customs 100 have been removed or not reappointed.

There are now 55,157 post-offices in the United States. Of these about 2400 are filled upon the nomination of the President, and the term of office is four years. The rest are filled at pleasure by the postmaster-general. Appointments to all the offices are made upon the death of incumbents, upon changes of names and sites, upon resignations and the expiration of commissions, upon the establishment of new offices, and upon removals and suspensions. Deaths are about one in a hundred during the year, and appointments upon changes of names and sites and the establishment of new offices are very few. During the first four months of the administration the health of the first assistant postmaster-general, who has charge of the offices which are filled by the postmaster-general, was so infirm that the mere routine work of the office was with difficulty accomplished, and arbitrary changes were therefore probably fewer than might otherwise have been the case. Of the actual number of changes for all causes in the post-offices of every kind I have seen two statements, both of which assume to be authentic. One of them states the whole number of changes to be about 47,000; the other, about 37,000. Whether, however, the larger or the smaller number be more accurate, at the same rate of change for the next two years the entire body of postmasters would be, with very few exceptions, politically changed, and with the postmasters all the employ  s dependent on them. The result would not have been accomplished, indeed, by a clean sweep. Some presidential officers might have served out their terms, and a very few, as in the happy instance of the postmaster at New York, might be reappointed. But

substantially the whole of this vast and universally diffused service, whose smaller offices are the local headquarters of the administration party and are often given to local editors, whose newspapers are thus subsidized by the government, would have undergone a complete partisan reconstruction.

There is another important class of officers which the League and friends of reform have endeavored earnestly to persuade the executive to include in the classified service, namely, the assistant heads of bureaus, chief clerks, and heads of divisions. The late officers of this grade had generally entered at the lowest point and had risen through the service. As a body they were trained and competent officers, but the great majority of them have been removed or reduced and their places have been filled with untrained successors. The argument that it is necessary to change such officers in order that a new administration may learn the actual condition of the public business, is at once the frank confession of the disastrous consequences of a wholly partisan service and its utter condemnation. It is the acknowledgment that the proper conduct of the public business requires the removal of the best officers in the service. For if it were true that such officers are partisans so offensive that they wantonly obstruct and embarrass a new administration, their peremptory removal would be an urgent public duty. But the offence for which they would be justly removed would be due to the evil practice of regarding these offices not as public trusts but as party prizes; while to replace such officers by others appointed upon the same principle would not secure reform, but it

would be a gross public wrong, because it would be the substitution of one set of offensive partisans for another, and, therefore, the confirmation and perpetuation of a flagrant abuse. If such officers, however, should understand that whatever might be the change of administration their positions would be secure so long as they were faithful and industrious, they would no longer obstruct and embarrass the public service to injure one party or to aid another. To do their duty and to serve the public, not a party, would be their aim. If, in the sense alleged, those who are employed in the public service are rascals, they are made so by party spirit, and consequently to turn either party out of the service is to turn out the rascals.

Practically, I repeat, there has been a very general partisan reconstruction of the national Civil Service. But while such a change was the undoubted desire and expectation of a large and important part of the supporters of the President at the polls, I do not believe that it was desired or anticipated by the intelligent sentiment of the country. If the persistent pressure of this demand had been resisted firmly, and if no change had been tolerated beyond that equitable division between the parties which, although wholly indefensible upon sound principles of reform, might yet have been accepted as a permissible compromise under very difficult circumstances, the reform system would have been so strongly intrenched in public approval that at the end of a second term of the administration which had established it no succeeding party or President would probably have ventured to disturb it.

In stating the fact which is the most important in the history of reform within the year, I confess my great disappointment, and we must all see with sincere regret the loss of an unprecedented opportunity greatly to advance a beneficent reform. I do not wish to exaggerate the loss nor to judge harshly the action of the administration, nor am I in the least unmindful of what has been already accomplished or of the brave contest of the President against enormous odds. But if the statements which have been made, and which I see no reason to doubt, are accurate, and this political reconstruction of the service has taken place, it is fair to assume that, unless resolutely forbidden by public sentiment, another party change of administration would swiftly effect a similar change in the public service, and it would plead the conduct of the present administration as the precedent and excuse.

I should be unjust to the executive and to my own belief if I did not add that, as I did not doubt the sincerity of President Grant's desire to correct the evils of patronage, even when he abandoned the attempt, I do not doubt the strong conviction and honest purpose of President Cleveland. Like General Grant, he has undoubtedly found the force of the spoils tradition to be overwhelming, and his view of the best course in the actual situation, however mistaken we may think it to be, is none the less sincere. It is easy to say of him, as it would have been to say of any of his immediate Republican predecessors, that upon this subject he is a charlatan, a pretender, and an intriguing politician. But because it would be easy it would not be necessarily

true. Certainly he would be a very hasty and inconsiderate friend of reform who should allege that if a President who is honestly interested in the subject does not apply the principles of reform in their fullest scope uniformly, everywhere, and immediately, he may be justly denounced as a liar and a traitor to the cause. Even Mr. Lincoln did not venture to outrun what he held to be public sentiment nor risk a great cause by what he thought to be premature action. When Mr. Sumner urged and argued, Mr. Lincoln said cheerfully, "Go on; I am only six weeks behind you."

Whatever may be our disappointment we are bound to be just. Since the League was organized it has sought to speak candidly and fairly of every President, and in expressing disappointment it is but justice not to imply distrust. President Cleveland has undoubtedly believed that unbending fidelity to reform would lead to the rupture of his party, the alienation of its majority in the House of Representatives, and his consequent complete political isolation and total inability to serve reform or any other good cause or to make his administration truly useful to his country. He has probably yielded as he thought the public welfare required him to yield, but not in bad faith nor with any unworthy purpose. Unhappily, every concession to the inexorable demand makes resistance feebler, and the President who begins to yield ends by finding that he has surrendered. It was once my duty to say to President Grant that the adverse pressure of the Republican party would overpower his purpose of reform. He replied with a smile that he was used to pressure. He smiled incredulously,

but he presently abandoned reform. President Hayes felt that he was supported in his reform views neither by his party nor by the country, and his efforts were consequently but few and limited. President Garfield, at heart a friend of reform, hesitated in his letter of acceptance, and in the opening of his administration he shrank before the evil spirit that laid him low. President Arthur promptly approved the reform bill, and did not obstruct its honest operation within its limited scope. But he would have laughed to be accounted, in the sense of this League, a Civil-Service reformer. President Cleveland, with convictions as strong and purpose as pure as those of his predecessors, has doubtless like them satisfied himself that executive courage and sincerity, alone and unsupported, cannot deal effectually with the abuse now formidably fortified in party tradition and strengthened by party spirit.

President Cleveland also, like his predecessors, cannot be justly accused of breaking any pledges that he had given. Although perfectly sincere in the desire to see reform accomplished, his sense of the extreme doubt of its effective accomplishment so long as the public mind was but partially informed upon the subject, and while party hostility was relentless, prevented him from making absolute engagements and promises. In his letter to the League of December 25, 1884, he declared that he should discharge his official duty in fairly and honorably enforcing the statute, and he has kept his word. He said further that officers holding for a fixed term should not be removed during their term solely on partisan grounds and for the purpose of putting in

their places political adherents of the administration. It would be easy to allege, but very difficult to show, that this rule has been generally, or often, deliberately disregarded. The President added that his administration would be Democratic and that Democrats would receive all proper consideration, but that selection for office not embraced within the Civil Service rules would be based upon sufficient inquiry as to fitness by those charged with that duty. There is no question that he has diligently sought wise counsel in making appointments, nor that he has been often greatly deceived.

But it is not enough to say that officers of high character and competency have been appointed. The trouble is not that appointments have been unfit so much as that removals were not required by reform. It must be remembered that the substitution of a fit Democrat for a fit Republican, merely for the reason that he is a Democrat, is the very evil that reform would correct. Even if a competent, experienced, and faithful officer could be properly displaced at the end of his term, or at any other time, because he is a Republican, it would be plainly a public wrong to replace him by an unqualified and merely partisan Democrat. The President's letter was carefully considered, and while it showed unquestionable sympathy with reform, it showed quite as unmistakably a profound sense of the perplexities of the situation. It implied that the course of the administration in this respect must be tentative, and it was in no sense a pledge that a general change in the service might not be effected.

But while we may believe, as I certainly believe,

that the President is an upright magistrate who, looking at the vast and complicated range of his duties as the chief executive of a great nation, has been unable to accomplish in this department of his duty all that he would have gladly done—while we may willingly acquit him of insincerity or indifference, we must yet be as just to ourselves as to him. It would be a great wrong to the cause of which the League is the authorized national representative if it did not plainly and emphatically declare that it does not regard the administration, however worthy of respect and confidence for many reasons, as in any strict sense of the words a Civil-Service reform administration. Yet under this administration much has been gained for reform. There have been many excellent independent appointments and frequent courageous disregard of merely partisan demands, and many satisfactory officers have been thus far retained. The angry partisan complaints that every officer under the late administration has not been removed show at least the executive intent, while the universal discussion due to the public knowledge of the President's views has greatly enlightened the public mind and deepened public interest in reform. But while all this is the encouraging evidence of a rapidly developing sentiment and foretells the speedy advance of the good cause, it shows merely executive good-will. It does not constitute a reform administration nor does it mark the advance which has been anticipated.

What might be possible to a President who, profoundly conscious of the vital necessity of reform, believed it also to be his duty, like Sir Robert Peel in re-

pealing the corn-laws, to risk the rupture of his party, the imputation of bad faith, and to trust himself to the independent patriotic support of the country, I will not now discuss. But I will say that I do not doubt that his action would be most beneficial to the country, that it would be most cordially supported by the people, and that he would find himself very much stronger for every other good work. The course of events since Mr. Jenckes for the first time forcibly presented the question to public attention, seems to me to show plainly that Civil-Service reform in any thorough and satisfactory sense cannot be expected from either of the great parties in the country as at present constituted, and that no President elected by either of those parties can count upon its hearty and effective support in his efforts to prevent the dangerous and threatening prostitution of executive patronage to party ends. In all existing parties, indeed, there are reformers, and how penetrating is the influence of party spirit we can see even in the tone and conduct of reformers themselves. How very tenderly Republicans mark the plain violations of reform by Republican officers, and how very venial the gross offences of Democratic officers appear to Democratic eyes! I have observed that Republican reformers generally feel acutely the conclusive force of the argument for the removal of Democrats, while the Democratic brethren are usually strongly of opinion that the very genius of reform demands the prompt dismissal of Republicans. It is but further evidence of the truth that, whatever may be the good purpose and good conduct of certain executive officers, reform will be

achieved only when it is a paramount issue at the election and an unmistakable demand of the people at the polls.

A very important incident since our last meeting was the suspension of Messrs. Benton and Stone, respectively district attorneys in Missouri and Pennsylvania, for disregard of the President's circular of the 14th of July, 1886, warning office-holders to avoid obtrusive partisanship, manipulation of party conventions, and all dictation of party action. The suspension was followed by a correspondence between these officers and the President, and by the restoration of Mr. Benton, a Democrat, and the removal of Mr. Stone, a Republican. The President in his letter to Mr. Stone held that by virtue of his office Mr. Stone was a part of the administration which he sought to discredit with the people, and that such a course showed a want of loyal interest in the administration and justly suggested doubt of hearty co-operation with it. The report that Mr. Benton had equally assailed the administration was denied to the satisfaction of the President.

As the President understood the facts, the removal of Mr. Stone was justifiable. But in the correspondence a distinction was made by him between the impropriety of participation in the nomination of candidates and that of advocating their election in public speeches, which seems to be untenable. Permission to advocate the election of a candidate should certainly be extended to the effort to secure the nomination of a candidate who deserves to be elected. If an inferior office-holder may be properly permitted with every resource of argu-

ment and satire, of ridicule and of partisan appeal, to urge the election of any candidate, whatever his character may be, it is not easy to see why he should be forbidden to aid in securing the nomination of a proper candidate. The argument for limiting the political activity of certain officers is not that participation in the nomination, or advocacy of the election, of public officers is in itself and necessarily dishonorable and improper, but that it is at present inexpedient for the interests of the public service that the employés of the government should take an active part in such proceedings. The true view upon this subject was admirably expressed in the President's letter to the League, when he said of such employés, "the quiet and unobtrusive exercise of their individual political rights is the reasonable measure of their party service."

To what appointive officers such a restriction should apply I will not now inquire nor enter into the consideration of the point at which the line should be drawn between political officers and those whom the Constitution designates as inferior officers. The President's circular included "all subordinates in the departments and all office-holders under the general government," but its precise limits of application have not been defined. Of other officers besides Mr. Benton and Mr. Stone who in disregard of the circular have taken part in the manipulation of party primary meetings and nominating conventions as well as in dictation of party action, none, so far as I am aware, have been removed. The circular, as a warning, therefore, has been neglected with impunity, and as an order it is a dead letter. Very recently it has

been ostentatiously and flagrantly defied in Baltimore, and, should the defiance pass unremarked, the circular may be regarded as withdrawn.

During the year there has been no extension of the classified service, and in the details of administration under the law the most important event is the adoption, by the National Commission, of a system of examinations for promotion. The examinations under this scheme are compulsory, and the selections for promotion are made from the whole eligible list. The compulsion was thought desirable in order to test the qualification of every person in the line of promotion, upon the assumption that the duty of removal, even in proper instances, is often disregarded from personal and charitable motives. The best test of general official fitness, undoubtedly, is the daily discharge of duty, and henceforth a daily record of official conduct will be kept, which, in the examination, will be of essential value in determining competency. But in the meanwhile some method of fair determination of competency was held to be proved necessary by experience, a method which, if found to be only temporarily useful, can be discontinued when it has accomplished its purpose. The opening of the whole eligible list was decided to be expedient for reasons of convenience, which, however, do not seem to be forcible enough to justify suspension of the principle of competition. In regard to the extension of the classified service, I hope that we shall renew our earnest recommendation that assistant heads of bureaus, chief clerks, and heads of divisions shall be included in it. Although the general change in these positions

which has been made under this administration has not improved the service, the disadvantage will disappear somewhat with the larger experience of the new officers, while the evil of treating such places as political offices and prizes is so obvious and undeniable that to rescue them from the pile of spoils is most desirable for the service and the country.

During the session of Congress nothing was done to advance reform. Mr. Vance of North Carolina introduced in the Senate his bill for the repeal of the act of 1883, but the Senate did not appear to desire its further acquaintance; and Mr. Grout, a representative from Vermont, introduced in the House a bill for the election of postmasters, which also disappeared in committee. This suggestion has been often made, but that it would be more satisfactory than the present method of appointment by the Post-office Department has not been demonstrated. The proposition, however, is intended to correct one of the worst abuses in the service, the virtual appointment of postmasters by members of Congress.

During the year reform bills have been introduced in the legislatures of Indiana, Rhode Island, New Hampshire, Illinois, and Missouri. In the State of New York a total repeal of the reform bill was supported, with the exception of three votes, by the whole Democratic representation in the Assembly, and the repeal was defeated by the Republican majority. The Republican Convention in Ohio has just demanded such additional legislation as will remove appointments from partisan influence. A most excellent demand. But the Republican

party in Ohio has had control of the Legislature and of the executive during the last year. Why has the party which now demands such legislation not provided it? If appointments are still determined by partisan influence, it is because the Republican party has not chosen to prevent it. The Democratic Convention in Ohio warmly praised the President, while its chairman vehemently denounced the President's views upon reform without the least dissent from the convention, which dismissed the subject with expressive silence. It likes a Democratic President, but it does not like that a Democratic President should like reform. The silence of the platform is the most unquestionable proof of the consciousness of the convention that the President's views are so approved by the country that denunciation of them, however agreeable it might be to the convention and to a portion of the party, would not be politically judicious. The Democratic Convention of Maryland commends the action of the President in endeavoring to secure an honest and competent Civil Service. But it thinks that the way to secure it is to turn out Republicans and to put in Democrats, and the Democratic party in Maryland offers as illustrations of such a reformed Civil Service Mr. Eugene Higgins, appointment clerk of the Treasury, Mr. Morris A. Thomas, Indian commissioner, and Mr. Freeman Rasin, naval officer at the port of Baltimore, and many others; and as an illustration of the benefits and consequence of such a reformed service, it offers the notorious purity of Maryland politics under the leadership of Senator Gorman. These office-holders, paid out of the public treasury and

deserting their public duties to manage caucuses and primaries and to take effective charge of the polls at elections, and this condition of politics which is a national byword of corruption, are the contributions of the Democratic party in Maryland to Civil-Service reform.

In the State of Kentucky the Democratic Convention emphatically condemned reform, thus censuring the well-known conviction and declarations of the Democratic President. The argument offered in defence of this condemnation is a confused repetition of assertions which have long been clearly exposed and totally discredited. The reform is alleged to be an aristocratic and un-American revolution to supersede the American Democratic system of responsible government. In hearing again this ancient allegation we may well recall Godwin's remark that the court of Rome "reposed with a generous confidence upon the folly and blindness of mankind." The American demagogue certainly cherishes profound faith in the stupidity of his fellow-countrymen. Nobody else would hope to persuade intelligent American citizens that the selection, upon proof of competence, of persons to discharge public duties which are in no sense political, and the peremptory removal of such persons for any legitimate reason, is a scheme of un-American and aristocratic privilege fatal to republican institutions. On the contrary, it is characteristically American because it is founded upon common-sense and the accepted sound rules of business; because it secures the equal right of every American citizen to enter the public service upon his merit and fitness as a man, and not as the favorite of a poli-

tician ; because it re-establishes the service upon the principles on which it was organized by Washington ; because it restores to political parties their legitimate activity, and to public officers the self-respect and independence which are especially American and which are impossible under the spoils system ; and because by making election, not a fight for plunder, but a contest of principle, it makes the honest will of the people the actual government of the country. Since the movement against personal slavery there has been nothing more truly American than this absolutely unselfish and patriotic demand for the emancipation of the Civil Service.

These are the chief events of the year in the progress of reform and this is its present aspect. But while in the review of the year we find a certain reaction in executive and legislative conduct, we can see only steady progress in public sentiment. At our first annual meeting, six years ago, I suggested that, when once the reform should take serious hold of the public mind, the struggle of the mercenary political class, which makes a trade of politics and public life, would cease to be contemptuous and would become angry and desperate. This is the situation that we now see. The reform has become so strong and vital in the public mind, its reason and purpose are so much more clearly apprehended, it has become a question so conspicuous and commanding, and it is so widely and heartily approved, that the spoils system avails itself of every resource ; it gives blows as well as receives them, and we need be neither surprised nor dismayed that now and again it achieves some success. No public evil, so strongly rooted in

party tradition and good-natured public ignorance and indifference as this was rooted when the contest began, yields without a prolonged and persistent and uncompromising struggle. This kind comes forth only by fasting and prayer. But if the rate of its exodus be the measure of the force and extent of the impetus, it is impossible to doubt that we are a very fasting and a very praying people.

Our expectations of reform are neither unreasonable nor excessive. We know that long-accumulating abuses in administration which have established a system of their own for the discipline and control of parties are not easily corrected. Improvement in administrative methods in both of the great English-speaking nations has been tentative and gradual, a process of modification and development rather than of total overthrow and theoretical reconstruction. We understand the perplexing embarrassments which surround the chief executive in the practical enforcement of views which his party does not heartily sustain, and we have not anticipated from this administration nor from any of its predecessors a uniform and consistent policy of reform. But we do not for that reason accept whatever is done as all that it is possible to do nor doubt that in a reasonable reform the people are often in advance of their official representatives. Our duty is plain. It is to hold the standard of reform high above all controversy, showing its full extent and import, and testing by it honestly, reasonably, and generously every practical endeavor. The failure of an individual or of an administration, therefore, to do what we think might have

been done neither dismays nor discourages us. We do not think that nothing has been gained because everything is not accomplished, as we do not suppose that the tide is not rising because every succeeding wave is not the highest of all.)

The more clearly it is seen that existing parties will not achieve reform in the Civil Service, the more commanding will be the public sentiment which will readjust old parties or organize new ones. After the political storms of many years the chief desire of the country is that the government shall be honestly administered. In this public sentiment is our hope and strength. That cause is always safe which is in sympathy with great moral forces, with the common-sense and intelligence of the people, with the earnest faith and patriotic purpose of youth, with the lessons of experience, and with the convictions of wise and pure statesmen; and I know no cause in this country of which this may be more truly said than of Civil-Service reform.)

XIII

THE REASON AND THE RESULT OF CIVIL-
SERVICE REFORM

AN ADDRESS DELIVERED AT THE SEVENTH ANNUAL MEETING
OF THE NATIONAL CIVIL-SERVICE REFORM LEAGUE,
HELD AT NEW YORK, MAY 29-30, 1888

THE REASON AND THE RESULT OF CIVIL-SERVICE REFORM

THIRTY-SIX years ago, when Franklin Pierce was elected President, the happy end of the antislavery agitation was announced. But ten years after the election of Pierce, Abraham Lincoln issued the proclamation of emancipation. The course of American history does not depend upon Presidents, but upon the people. Of that fact even the managers of nominating conventions are aware, and therefore, although they detest Civil-Service reform and insist that it is extinct, I venture to predict that one of the great conventions which will soon assemble will praise the President for his fidelity to reform, and the other will denounce him as the chief of sinners against it—each party assuming, not that reform is dead, but what is perfectly true, that it is more alive than ever before. Party platforms are valuable not so much for what they say as for what they indicate. They are rag-bags of an extraordinary assortment of pieces, but they are all of the texture and the colors which are believed to be popular. They would make a most crazy quilt, but they are an excellent guide to the political fashion because they are selected by very shrewd judges.

I think that nobody is more interested than we are to know the exact situation of the reform movement or to state it more accurately. Last year we told what we believed to be the truth of the present administration in regard to reform, as we have always sought to tell the truth of every administration, and we were assured that our meeting was like a funeral feast. But we could safely reply that, if the remark were true, then, in the familiar phrase, it was certainly not our funeral. Undoubtedly more had been expected of this administration than of any of its predecessors because of the frequent and friendly declarations of the President, and because his election by the votes of those who were not of his party authorized an independence of action which a President elected solely by the vote of his party might feel to be denied to him. This anticipation has been largely disappointed, but the disappointment must not make us unjust or unmindful of the fact that, although the President has done much and has permitted much which every friend of reform must deplore, yet he has maintained all that had been gained in the examinations, he has extended the range of the classified service, and he has revised and strengthened the rules. Certainly this is not all that had been expected, but the general and intelligent public regret that he has done no more shows how strong is the desire of reform in the public mind.

That is the essential question in all reform movements. They are at first addressed to public opinion, and parties and administrations very slowly respond. But this slow response must not deceive us. In 1852

the Whig party, dodging the slavery question, cast 1,400,000 votes, and the antislavery party only 155,000. But four years later the Whig artful dodger had disappeared, and the antislavery sentiment, organized as the Republican party, cast more than 1,300,000 votes. Twenty years ago, when Mr. Jenckes of Rhode Island spoke here in New York to a few persons in the chapel of the University upon reform in the Civil Service, he was like Paul in Athens declaring the unknown God. To-day there has been for six years a law of Congress embodying his views. In the White House there is a President elected because he held those views. The press of the opposition party assails him chiefly for abandoning them, and an opposition committee of the Senate is accumulating evidence to prove if it can that he has done even less for reform than other Presidents, and therefore ought not to be re-elected. This is hardly consonant with the theory of the death and burial of reform. Party investigating committees on the eve of elections do not trouble themselves with spent rockets. In observing the movement of public opinion against public abuses we need not be troubled because it is not uniform or universal, nor because results do not keep equal pace with eager hopes. It is not until the axe has made many and deep gashes in the trunk that the tree begins to yield. Long after the blows that will level it have begun it towers unshaken in its pride of place. Nevertheless, it is doomed. The stroke of the axe is strong and steady, ringing with cheerful music, and at last the towering tree is laid low.

The history of English liberty is the story of the re-

straint and regulation of patronage. When the revolution of 1688 had expelled the Stuarts, and was supposed to have substituted Parliament for the prerogative, the House of Hanover sought instinctively to recover the complete prerogative by subduing Parliament, and its most powerful weapon was patronage. Its corruption was universal. Political freedom was in mortal peril. To be one of the king's friends was to be an enemy of English liberty, and Lord Chatham thanked God when he heard that America had resisted in arms, because he knew that English liberty was to be saved—as it was saved—in America.

This disgraceful and humiliating story has an unpleasantly familiar sound. Read upon the English page, we pity the subjects of a monarchy where such things were possible. We wonder that an intelligent people did not rise in wrath and sweep them away, and we complacently find in them admirable arguments for republican government. But, unhappily, while we read and wonder and cry shame, we are looking in a mirror. It is ourselves we are flouting and scorning. "My dear sir," says Thackeray, "I remark your virtuous indignation with snobbery. Very good; you are the snob whom I am describing." There is no more ignominious chapter in the history of the English-speaking race than that of the struggle of George III. to withstand the progress of liberty by the power of patronage. But we are fast coming to see in this country that for sixty years we have been busily writing a different chapter of the same disgrace. One New York politician writes to another from Washington on the 17th of March, 1829, only a

fortnight after the inauguration of General Jackson, "From the manner in which the President has exercised his power thus far, I am inclined to think that he will go the whole hog." The sagacious observer was not disappointed. The swinish saturnalia had begun, and it proceeded with rapidly swelling fury. We need not waste our wonder or satire or contemptuous scorn upon England and George III. Of this shame, at least, England has purged herself, while there are recreant Americans who boast of it as practical politics, and who are actually proud of it in its worst form as peculiarly American.

In the modest beginning of our government there was the gravest apprehension of the danger lurking in patronage. In creating a new Civil Service it was feared that the control of its patronage, together with the command of the army and navy and the State militia, would invest the President with authority to secure the prolongation of his own powers and even the perpetuity of the Presidency in his family. This apprehension reveals an instinctively wise forecast. The danger was there, but its precise form was not accurately foreseen. Soon, however, it appeared; gradually the sovereignty of party was substituted for that of the king, and it was sought to be maintained by the king's old weapon of patronage. Before the Constitution was adopted by the necessary number of States, and before Washington had consented to accept a nomination for the Presidency, the pressure for place began with such force that he rebuked the indecent urgency. Yet the whole number of employés in the Civil Service during his administration Washing-

ton describes as "a handful," and the revenue with which the government had to deal was but \$2,000,000. Nevertheless the pressure was enormous, and forecast the vast and deadly power of patronage and the desperate struggle for its control.

But the only consideration which Washington entertained even in the chief appointments of his administration was fidelity to the new Constitution and government. Proscribing no one for political reasons, removing no one except for misconduct or incapacity, he exercised the power of appointment solely in the public interest, and neither for partisan advantage nor personal aggrandizement. During his administration parties were organized, and when Hamilton and Jefferson were party leaders party spirit, we may be sure, was not less fierce than now. But Washington, neither an idealist nor a sentimentalist, but the most practical of statesmen, resolutely withstood its evil counsels, and in all that concerns the Civil Service an American President could have no better exemplar than Washington.

With the inauguration of Jefferson the determined assault of party to control the national patronage began. By his fantastic theory of equitable distribution of patronage between the parties Jefferson drew out the bolts and then held the flood-gates by main force. It was obviously a mere question of time when the pressure would be mighty enough to sweep every barrier away. Jefferson had surrendered the cardinal principle that the great system of minor ministerial, non-political places are not party prizes, but public trusts, to which fitness alone is the only valid claim, and from which dismissal

for the mere purpose of rewarding partisans is a public wrong. The contempt of this principle which already ran riot in the two great States of New York and Pennsylvania, and which was one of the worst excesses of party spirit, would not be likely to relinquish its assaults upon the national government when the government itself conceded that half its demand was just.

John Quincy Adams, worthy son of a worthy sire, interposed the final obstruction to the rising deluge. Among all our Presidents none was more courageous, more admirably equipped, or more sternly upright. The disdainful independence with which he commended the official efficiency of his Postmaster-General McLean while his Postmaster-General McLean was using the patronage of his office to defeat his chief was worthy of the Roman Cato. His superb scorn of crawling politics makes the page of our annals upon which it is recorded a moral tonic. It was very magnificent, we are told, but it was not politics. That depends upon the point of view. It was not the politics of Aaron Burr, but it was the politics of Washington. Had Adams prostituted the executive patronage to his own personal advantage he might have gained a second term of the Presidency, but he would have forfeited his self-respect and have lost the noble renown which invests his name.

It was by General Jackson, forty years after the government was established, that the spoils revolution was accomplished, and the transfer of the power of patronage from the king to a party was completed. During its progress it had been opposed in speeches, reports,

earnest protests, solemn warnings, and proposed acts of legislation, but nothing could withstand it. Ten years after Jackson's election, reform was the Whig cry. But it was only a cry. The tiger of party had tasted blood. There was no Whig purpose or policy of reform. The hard-cider campaign of 1840 was a laughing and singing political picnic. Exhausted with the panic of 1837, the country wanted change and called it reform; and, as James II. was said to have been sung out of the three kingdoms by the song of Lillibullero, Van Buren was sung out of the Presidency by a mighty chorus of "Tippecanoe and Tyler too."

General Harrison alone took the campaign seriously. He pledged himself, as he said, "before the world" that if elected President he would use all his power and influence to abridge the power of the national executive, and to that end he again pledged himself "before heaven and earth" if elected President not to seek another term. He was elected, and Mr. Webster as Secretary of State wrote the warning circular to office-holders, which was read with universal incredulity, and was as little heeded by office-holders or enforced by the executive as were subsequent circulars of the same kind. The Whigs out-Jacksoned Jackson. When business was prostrate and the country discontented with the administration, reform was a convenient cry to turn the revenues of patronage from Democratic to Whig pockets. But if any Whig had suggested in the Harrison convention of 1840 that the party did not intend a complete change of the Civil Service, an overwhelming host of Flanagans would have shouted with honest amazement,

"What are we here for?" and the summary sweep that followed Harrison's inauguration would have answered.

From that time until recently, party has prostituted the power of patronage as ruthlessly, as arbitrarily, as selfishly, as dangerously to liberty and the public welfare as it was prostituted by the Hanoverian kings. The public service ceased to be regarded as a public trust and had become party spoils; and when Mr. Jenckes raised the first battle-cry of Civil-Service reform in the sense in which it is demanded by this League, the abuse was apparently impregnable, in tradition, in conviction, in the strongest passion, and the most venal interest. It was held that the whole Civil Service in every degree, political and non-political indiscriminately, from the English embassy to the scrubbing of floors and the carrying of coal in the public offices, was the mere perquisite of the successful party. In 1848 Mr. Buchanan, then Democratic Secretary of State, declared in a public speech that if General Taylor did not proscribe his opponents he would prove faithless to his party. And long afterwards a Republican secretary of the Treasury told me that when the country changed the party of administration it meant to change not only the secretary of the Treasury, but the messenger at the door of his office.

Surely it is an immense advance of the reform sentiment and another signal illustration of the wholesome state of the public mind that last week a Democratic secretary of the Treasury said in a public speech: "But I hope to live to see the day when the great majority of the public offices shall be non-political, that is, when it

shall not be considered needful to party government and party responsibility that many changes should be made in the purely administrative offices. There are many difficulties in the way of this that only time and public opinion can remove; but I believe that from the necessities of the case they will be removed. My own wish that as few public offices as possible should be in political category is based not alone or chiefly on the hope or the belief that the conduct of the public business will be improved thereby, but because I believe that a grave cause of party weakness and demoralization will be removed and that thereby the public will greatly gain." If party exigencies and interests on the eve of a presidential nomination make the obstructions and difficulties seem very much more insurmountable to the secretary than to us, yet the fact of such a declaration from such an officer and gentleman is one of the most hopeful signs of the times.

Under the system which has so long subjugated the country, the newly-elected President, compelled by the demands of his party to turn out the great body of public officers, agents, and employés, and necessarily ignorant of proper persons to appoint in every part of a continental republic, depends for information upon senators and representatives, upon whom also the success of his administration depends. The executive and the legislative authority, carefully separated by the Constitution, become dangerously confused. Representatives demand the patronage of their districts and senators practically usurp the power of nomination. From the executive and legislative commerce in places arises a huge office-

holding hierarchy, ascending in regular gradation from the lowest employés to the highest officer, each dependent upon the other, and all united in a common purpose to control general and local politics for their personal advantage. An organized political class independent of the great body of the people practically absorbs the authority of the people. By mercenary control of caucuses and conventions it nominates candidates and requires implicit obedience to its will as the condition of political preferment. By assessing the salaries of their subordinates the leaders of this class levy a tax upon the public treasury for their own benefit and that of a party. The voters of the party submit to their sway because refusal seems to mean the success of the opposition. Party ceases to be a voluntary union to shape public policy, and becomes a faction to promote private gain and gratify personal ambition. Politics degenerate into mere place-hunting and venal jobbery. Self-respecting men withdraw more and more from public life. Honorable ambition disappears. Bosses replace statesmen. The young American is taught that the qualifications for public service are not integrity, intelligence, and industry, but sycophancy and servility, cheating and bribing, and every kind of disorderly violence and unmanly trickery. He must be a parasite or a ruffian instead of a man. In such a situation loss of self-respect becomes the condition of public employment. The evil system multiplies enormously unnecessary places. It stimulates reckless extravagance in public expenditure. It controls the vast contracts of the government. It transforms the highest officers of administration into brokers of petty

place. It subsidizes the press, defiles the American name, debauches the national character, until under its degrading mastery the power of the people passes into the hands of a venal oligarchy, and a presidential election ceases to be a contest of differing policies determined by free argument before the people, and becomes a ferocious and desperate struggle for the emoluments of place.

This was our indictment against the evil system when we organized the League seven years ago. It was written upon the consciousness of every American citizen familiar with practical politics. It is written there still. Undoubtedly the systematic suppression of the right of suffrage in some States and organized frauds at the polls in others are wrongs affecting the whole Union which cannot be safely neglected. Reduction of the surplus and a just scheme of tariff taxation, like every question of taxation and finance, demand prompt attention. But a system of administration which perverts the entire Civil Service to the destruction of the true function of party, which makes the loss of self-respect the condition of public employment, which debauches politics and degrades the national character, seems to me as vital a question as can be proposed to the country. I can imagine the question of suffrage left to the States and, relieved from external pressure, gradually and wisely solved. It is conceivable that the vigorous enterprise and marvellous prosperity of the country might endure indefinitely even an unjust and exorbitant tariff. But it is not conceivable that the executive patronage can increase in the ratio of the growth of the last few years,

unregulated and unrestrained, without the gravest peril to the government.

The great service of the League, hitherto, lies in arousing the public mind, in creating a powerful public opinion, and in stimulating practical measures of reform. We have procured the passage of wise and comprehensive reform laws. We have proved the entire practicability of the selection of the great host of subordinate officers and employés by tests of fitness instead of personal favor and political interest. We have made the political abuse of patronage odious in the public mind. We have stigmatized the system of political assessments, driven it into shameful concealment, and greatly reduced its ravages. We have carried up to the Supreme Court of the United States the question of the constitutionality of the law forbidding such assessments, and we have secured an opinion in its favor. We have raised in a State court the question, fortified by precedent, whether the fundamental principles of this reform are not parts of the common-law regulation of all offices of trust. We have exposed the outrage of office-holding interference in caucuses and elections, and while it is not remedied, it is discredited, denounced, and greatly diminished. We have taught public officers who engage in active party politics that they are closely watched, and if not rebuked by the executive, they are censured by sound public sentiment. We have compelled public explanations of wrongs which were formerly matters of course, and we have stimulated a sensitiveness in the press which gives no rest to public officers who abuse their trusts as party spies. In Indi-

ana we have relentlessly revealed the foulness of political management of public charitable institutions. In Maryland we have inexorably told the truth of the abandonment of the national public service to politics. In Massachusetts we have adjusted the reformed system to the selection of laborers. In New York we are seeking at Buffalo, with the strong approval of the most intelligent citizens of every party and church, the introduction of the principle of reform into the selection of public teachers.

I say that we have done this, not to arrogate to the League an exclusive action or interest, but in the sense of that widespread and essentially American conviction that party abuse of the Civil Service is an intolerable public wrong, and of the equally determined and characteristic American resolution to correct it, of which the League is the organized representative. Meanwhile on every hand the indirect results of this movement are evident. The growing exclusion of mere partisan sympathy from the selection of judges; the universal and increasing disposition to separate municipal administration from party politics; the wise and well-sustained efforts to reform ballot and election laws in the interest of honesty, laws for which the conclusive arguments are the character and purposes of those who oppose them; the indignation and disgust with which the public learns that the costliest public works, like the construction of the new aqueduct to supply the city of New York, are made subjects of deals and intrigues for the profit of politicians and their confederates, and the consequent determination that so far as practicable the

devil that defiles such undertakings shall be cast out—these are all fruits of the intelligent and patriotic public spirit which is evoked by the movement for Civil-Service reform. Whoever supposes that its course is checked or its success endangered because the President writes a letter to influence a local election, or because post-offices are still treated as party booty, would despair of flood-tide because every successive wave is not higher than its predecessor, and lose all hope of coming mid-summer because there are chilly days in May.

There are two important measures yet to be adopted: first, the repeal of the four years' law, a law which enables a complete partisan change of the service to be made in a way which permits the executive to escape, as in such a case he ought not to escape, the odium of arbitrary removals. This repeal we have constantly and warmly urged. The other practical measure, which seems to me of even greater importance, but which the League has not yet advocated, is an amendment to the Constitution extending somewhat the term of the Presidency and making the President ineligible for a second term. The wisest of our foreign political critics, De Tocqueville, who was here fifty-six years ago when the great partisan abuse of patronage in the national government was but beginning, said with characteristic acuteness, that a candidate who is not the President, seeking the Presidency, is but an individual, while the President seeking re-election is the State itself intriguing and corrupting with its immense resources. My accomplished colleague upon the first Civil Service Commission, Mr. Joseph Medill of Chicago, signed the report of

the commission to President Grant; but he also submitted a supplementary report, in which he urged with great force that a constitutional amendment prohibiting a second term is a preliminary measure without which an effective reform in the service is wholly impracticable.

The unwritten law which forbids a third term to any President is founded in the reason which would prohibit a second term, and which great American statesmen have strongly stated. Jackson, who advised Monroe to be the President of the whole people and not of a party, but who, when he reached the White House, was the most absolute of party Presidents, twice urged upon Congress the passage of an amendment limiting the Presidency to one term. Harrison pledged himself, as I have said, to a single term, but perished in a month under the fierce pressure for place. Henry Clay in 1842 declared such an amendment to be the principal object of the Whig party, and in 1844 the Whig Convention which nominated him resolved that it was inseparable from the public honor and prosperity, and Webster gave it his approval and support. Charles Sumner introduced in the Senate an amendment providing for the ineligibility of the President, and President Cleveland, in accepting the nomination four years ago, added his voice to the warnings. He said: "When we consider the patronage of this great office, the allurements of power, the temptation to retain public places once gained, and, more than all, the availability a party finds in an incumbent whom a horde of office-holders, with a zeal born of benefits received and fostered by the hope of favors yet to come, stand ready to aid with money

and political service, we recognize in the eligibility of the President for re-election a most serious danger to that calm, deliberate, and intelligent action which must characterize a government of the people."

The tendency and temptation which in the mere prospect the President depicts in these decisive and accurate words, actual experience has doubtless proved to him to be stronger and more seductive than he imagined. The Secretary of the Treasury denies that the administration has abandoned reform, and adds that the law has been rigidly enforced, its application extended, and its spirit observed. But he would probably agree that if the Constitution had made the President ineligible for re-election there would have been no reason for the assertion that reform had been abandoned, the application of the law would have been much more widely extended, and its spirit would have been so generally observed that no successor of the President would have dared to return to the old abuses, and the President himself would have happily identified his name with one of the most beneficent political reforms in our annals. Let us help the Presidents of the future in their tremendous struggle. Even Ulysses did not dare to pass the sirens without lashing himself to the mast and stopping the ears of his comrades against their song. Let us save Ulysses hereafter from the irresistible allurements by making it impossible for the sirens' song to ensnare. The one-term amendment is a measure simple, practicable, intelligible, which would command immediately general and earnest support, and whose adoption would remove at once both the temp-

tation and the danger which President Cleveland describes. It would emancipate every President from the absolute despotism of party and from the temptation of personal motives, and leave him in the greatest of offices with no motive for official action but the wish to deserve the praise of history by promoting the welfare of his whole country.

For the overwhelming partisan prostitution of the Civil Service with which we are familiar the only defence attempted is very simple. It is the assertion that the officers of the government ought to be in harmony with the administration. This is true, but it is true only of such officers as are essential to carrying out its policy. The man would be laughed out of the country who should say seriously that under a free-trade administration it is necessary to the proper operation of the government that light-house keepers and Indian agents should be free-traders, and that under a protection administration book-keepers and messengers should favor a high tariff. The post-office is the chief patronage department of the government, but there is no party method of sorting letters, and the only politics of the railway mail-service are honesty, quickness, accuracy, and self-possession. Politics have no more to do with the business of the post-office than with the teaching of Greek in Columbia College. Post-offices have become the local centres of public politics because they have been treated as party prizes and not as public trusts; because postmasters have been taught that they are the agents of a party, not the servants of the people; and because political officers have been per-

mitted unrebuked to suborn them as spies upon their neighbors.

There is no more reason in requiring a postmaster to agree with the President of the United States in political opinion than in requiring a railway engineer to agree with the religious views of the president of the road. The post-office was established for public convenience. It is the duty of the President to call into the postal service only persons who are fit for it in ability and character, and so long as they are efficient and faithful it is his duty in the public interest to retain them, and a gross public wrong to remove them for political opinion. If their conduct towards the officer in whom the law vests their appointment is scandalous and unseemly, they should be peremptorily dismissed, as unseemly conduct towards all appointing authorities is punished by dismissal; and if such dismissal should be said to abridge the political rights of American citizens, American citizens are quite sensible enough to know that unseemly conduct which they would not tolerate in their own private service should not be tolerated in the public service. But this is wholly different from dismissal for political opinion from posts which are in no sense political. Such removals Madison declared would justify impeachment. And only because with all the great constitutional authority of his word he declared such removal to be an impeachable offence, and because Washington was President, by whom such abuse of authority was inconceivable, was the power of removal given by Congress to the President. But if, before the evil day that we have seen,

Madison thought such arbitrary removals impeachable misconduct, what would he have said had he seen the whole non-political public service trampled and scoured by the bloodhounds of all parties in turn, making prey of official fidelity, efficiency, and experience, and baying that such ravages are essentially American?

Unquestionably all officers of the government whose duties are concerned with giving effect to the policy which the country has approved, and whose offices bring them into personal and confidential relations with the heads of the government, should be in entire sympathy and accord with those to whom the people have intrusted the conduct of the administration. But the great mass of officers and employés of the Civil Service are not of that kind, and they can be disturbed for political and party reasons only to the great detriment of the public welfare. An election which changes the public policy in ministerial management of the post-office, for instance, the postal system, and the proposition to effect a political change of postmasters is merely a naked and monstrous scheme to transform a vital and universally diffused public convenience into a national electioneering agency for a party.

Driven from the utterly untenable position that the great body of the service is essentially political, and therefore that after every election there should be a partisan clean sweep to harmonize with the administration, the advocates of the evil system are forced into the last ditch—the assertion that parties are indispensable in a republic, and that the spoils system is essential to efficient party organization. This is merely an

attempt to support an absurdity upon a falsehood. The falsehood is shown by the experience of England. Yet Mr. Gladstone, the greatest of living party leaders of the English-speaking race, says that it is impossible to understand why in America we permit the whole Civil Service to be disturbed by a presidential election, and adds that in England a change of administration involves the removal of but a few score of persons. He is a sorry American who insists that young America is incapable of a practical national wisdom which old England displays.

But the assertion is false again, because of the notorious fact that the apprehension of the disastrous consequences of the universal disturbance of the whole Civil Service every four years necessarily perplexes the election. If it be known, for instance, that the consequences of a successful vote for protection or tariff reform will be a general dismissal of all experienced and capable officers in the public service, that fact itself, alarming the public mind, will determine thousands of conservative votes, and just in that degree will prevent a vote upon the simple party issue. So long as the vast system of the public service with its enormous emoluments is treated as spoils, no great public question will be decided upon its merits. Again, party action in its true sense is impossible until the spoils system is abolished; for when party becomes a conspiracy for spoils, our politics, instead of true party politics, become necessarily personal politics. In that condition it is useless to insist that we must vote for principles and not for men, because then what are called principles are merely

pretexts for turning out a hundred thousand men and turning in as many more. If party managers wish to induce the people to support principles and not men there are two ways of doing it: one is to nominate candidates who are personally and officially beyond just reproach; and the other is to convince us that it is the policy of the government, and not the great army of civil officers, that will be changed. Then the mind of the voter is fixed upon principles and not upon men. But so long as an election means for the successful party a general sack of the Civil Service, like that of a long-besieged and captured city, then it is the plunder, and the men who will give it and get it, not principle or national policy, which will be the supreme and absorbing motive of the election.

But these conclusive facts are but part of the argument. The consideration that should move most profoundly every worthy American is that the constant, watchful, deadly enemy of republican government from the beginning has been party spirit, and that in a country necessarily governed by party the highest interests of liberty imperatively demand the strict and tenacious limitation of party to its rightful sphere. In a democratic republic, where the majority of voters are sovereign, the vital question for liberty is that of the ability of the voters to restrain themselves. Constitutional liberty is not only liberty regulated by law, it is also law sustained by the moral disposition of the individual citizen. It lies in the ability of masses of men to control their own passions. The exigencies and tests of liberty in this country have been many and

great, but a more crucial hour the country never saw than that of the contested election of 1876. Constitution, law, and precedent were all obscured. Party was arrayed angrily against party, and the peaceful continuance of the government itself was involved. It was a strain along the very fibre of the American people, and by the grace of God it did not give. Party spirit yielded to patriotic instinct and the great victory of popular government was won. In that supreme hour who was the traitor to liberty, to republican government, to America? It was any man who vociferated that party discipline must be maintained and that every man must stand by his party, because only by party could the government be carried on. Happily the cry was vain. The crisis was beyond party, and only because the people for that high hour rose superior to party was the government maintained and the country saved.

The well-meaning and eloquent orators who rebuke political independence by declaring that we can achieve great results only by party—which is a fact that nobody denies—forget that party spirit is the one fire that needs no fanning. The first duty of patriotism is to keep that fire low. The natural tendency of party is to magnify and extend its sway, to identify itself with the country, and to seek its own power and aggrandizement. Party spirit instinctively sophisticates the individual conscience and divides the whole country into two hostile camps, whose soldiers hold each other to be practically traitors to the common welfare. Within a month I read with pain some words of an old political and personal friend in Congress, whose

unflinching courage by my side in a moment of great personal peril in the fiery crisis of the old antislavery agitation I shall always gratefully remember. During the recent tariff debate in the House of Representatives an earnest tariff reformer spoke of Mr. Lowell as a distinguished diplomatist under the late Republican administration, and instantly my friend exclaimed, "Benedict Arnold was a major-general in the Continental army." Benedict Arnold held the military commission of his country, and in the darkest hour of the Revolution sought to betray to the enemy for a reward an important military post confided to his honorable care. There is no blacker crime. What is the crime of Mr. Lowell? He differs from my friend and from part of the party with which he formerly acted upon the best method of reducing the surplus in the Treasury, and he has highly praised the President to whom my friend is politically opposed. For these reasons my friend, publicly, in the national Capitol, couples the name of one of the noblest living Americans, of lofty genius and character, one of the most spotless of citizens, one of the most upright of men, with the most infamous name in American history. The Latin poet says that anger is a brief madness. Party spirit is a frenzy which imbrutes the soul. Here is an honorable public servant, a kindly gentleman, an honest man, and party spirit forces from his lips a taunt regarding another gentleman not less honest, honorable, and kindly, which it is impossible that he believes. Do the orators who perpetually remind us that nothing can be done without party—as if

we doubted it—really think that fact to be a reason constantly to inflame to fury the spirit of party? Is there an intelligent American who does not see that, under the pretence of maintaining party organization, to abandon the whole Civil Service in every branch, and to a successful party, is to fan a conflagration with a gale?

“In governments of a monarchical cast patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency it is certain there will be always enough of that spirit for every salutary purpose. And there being constantly danger of excess, the effort ought to be by force of public opinion to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent its bursting into a flame, lest instead of warming it should consume.” The words are not mine. They are those of the greatest American, of the man so pure and wise that affectionate veneration has canonized him; of the patriot who, happier than Moses, not only led us through the Red Sea, but into the Promised Land, and showed us how to make it Beulah. They are the words of Washington. The great national conventions about to assemble to nominate his successor in the Presidency may wisely ponder not only the character of the man and the principles and spirit of his administration, but the reason of his permanent hold upon the love and pride of the American people. That reason is their profound belief not only in the wisdom and sincerity of

his views, but in his unbending official fidelity to his convictions. It is the certainty that no consideration of party, no allurements of personal ambition, no blandishment of flattery or sophistry, no fear of popular disfavor, or dictation of imperious politicians, could have moved him from the course that his convictions and conscience had prescribed, or have persuaded him to degrade the public service into party plunder.

Those conventions, also, may well heed the memory of that host of heroes whose graves to-morrow will be strewn with flowers. In no country was there ever a more beautiful benediction upon patriotism or a more touching tribute of national gratitude. The eloquence of Pericles has embalmed the Peloponnesian dead, but the affection of America consecrates the memory of our boys in blue. It was country, not party; it was duty, not ambition; it was liberty, and union, the impregnable bulwark of liberty, for which they made the costly sacrifice. They were patriots to whom America meant not only nationality and justice and equality and obedience to law, but also political progress, the righting of public wrongs, the ability of the people to see their own errors and constantly to strengthen by purifying their own government. They died to serve these great ends. Let us live to serve them. As we scatter flowers upon their graves let us baptize ourselves in their spirit, and with their abiding faith in the people, seeing everywhere the signs that the America of their hope shall be the America of our children, let us say with Samuel Adams, when he heard the shots at Lexington and knew that the Revolution had begun, "Oh, what a glorious morning!"

XIV

THE SITUATION AND PROSPECTS OF REFORM

AN ADDRESS DELIVERED AT THE EIGHTH ANNUAL MEETING OF
THE NATIONAL CIVIL-SERVICE REFORM LEAGUE,
HELD AT PHILADELPHIA, OCT. 1-2, 1889

SITUATION AND PROSPECTS OF REFORM

SINCE our last annual meeting, the second party change in the administration of the national government since the formation of the League has occurred. Seven months of the new administration have passed, and as friends of Civil-Service reform our questions to-day are obvious and simple. What was the declaration of the successful party upon the subject of reform? What were the pledges of its candidates? How have those pledges been fulfilled, and what are the prospects of reform? Four years ago, in speaking of President Cleveland, then recently elected and inaugurated, I said that he "was not committed to the prosecution of reform as the candidate of a party which seriously desired it or promised it." Certainly I cannot say this of President Harrison. The promises of the successful party last year were as ardent as they were detailed and absolute. They left nothing unexpressed. The pure purpose of reform was depicted in the platform with a touch as glowing as that of the poet in his epitaph upon a highly respectable lady—

"Yea, Venus, Pallas, Dian, and the Graces,
Compared with her, should all have lost their places."

The irrepressible platform pledged the party to many things, but to nothing with such reduplicated and reiterated zeal as to reform in the Civil Service; and, having done this in the most precise and positive words, it pledged the party with especial fervor to keep its pledges. Indeed, such was the frenzy of fidelity that less excited friends of the good cause were fain to say,

“Choose a firm cloud before it fall, and in it
Catch, ere she change, the Cynthia of this minute.”

To the ardor of the platform the protestations of the President, as a candidate, fitly and fully responded. He declared that it would be his sincere purpose, if elected, to advance reform. He said that fitness, and not party service, should be the essential test in appointment, that fidelity and efficiency should be the only sure tenure of office, and that only the interest of the public service should suggest removals from office. The significance of these words is unmistakable. Naturally and fairly interpreted, they forecast an executive action absolutely incompatible with the practice known as the spoils system. The country had precisely the same assurance from the successful party of a policy of honest reform in the Civil Service that it had of an administration favorable to the policy of protection; and, that no doubt might arise from political differences between the executive and the legislative branches of the government, the result of the election showed that the executive and the legislature would be in entire political accord.

When a great representative body of American citi-

zens voluntarily and solemnly proclaim that they hold certain views upon the tariff, or upon the system of public pensions, or upon the internal revenue, which they invite their fellow-citizens to support by voting for their candidate, they cannot be supposed to trifle with popular government and with their own honor by deliberately hanging out false lights. In a republic where the government is administered by party, if the party pledges of an authorized convention prove to be tricks and lies, the party justly forfeits public confidence, and every member of it is vicariously dishonored. When its authorized representatives, in order to secure for the party the control of the administration, declare that the spirit and purpose of Civil-Service reform should be observed in all executive appointments, and that all laws at variance with the object of existing reform should be repealed, there is no doubt of the meaning of the words nor of the impression which they are meant to convey. The declaration is a voluntary, definite, and solemn engagement with the country; and those who, in consequence of such an engagement, are intrusted with the administration of the government, are bound in honor to fulfil it or to show adequate reason for their inability to discharge their obligations. If they sneer at declarations, which by their acceptance of office have become their own, as absurd; if they chuckle over violations of their own pledges; if they choose to figure officially as statesmen forsworn, they do not discredit or injure the cause to which they eagerly professed fidelity, nor do they show it to be unwise, untimely, or impracticable. The discredit, the shame, the dishonor, fall elsewhere than upon the cause of reform.

President Harrison thus entered upon his administration as the choice of a party which expressly claims the honor of beginning reform in the Civil Service and has vehemently promised to complete it. Not content with requiring that the existing law should be extended to all grades of the service to which it is applicable, the party went entirely beyond these grades and affirmed that "the spirit and purpose of the reform should be observed in all executive appointments." This, however, was not a pledge to any extraordinary action. It was merely a declaration that, if the party were successful at the polls, the administration would do its plain constitutional duty—for such it is. Whether the convention had said anything upon the question or had remained silent, the executive duty would have been the same. For the executive is morally bound, as Mr. Bonaparte, president of the Reform Association of Maryland, said in his admirable annual address last May, to discharge all his duties upon acknowledged principles of equity and regard for the public interest and economy.

It is the duty of every administration, in obedience to such principles, not to remove honest and efficient public servants whose duties are in no sense political, but which remain the same whatever public policy the country may have approved at the election. The reason is not that they have any vested right in office, but that the country has the right to the most efficient and devoted official service, which is impracticable when office is regarded, not as a public trust, but as party spoils. Nobody is so foolish as to assert the right of

any public agent to his place. There are always equally honest and capable and fit persons who, with the same experience, might be as serviceable and efficient. The simple and conclusive argument against change is not vested right; it is that there is no good reason affecting the public interest which in the case of satisfactory officers requires change. Arbitrary removal for causes not connected with the service is as pernicious to public as it is to private business. To make removals, therefore, is contrary to public policy, which the administration is morally bound to respect.

But more than this. Mr. Madison, who was a wise interpreter of the Constitution which he largely moulded, said that an executive who should make such removals ought to be impeached. The assistant postmaster-general is reported to have stated that about fifteen thousand fourth-class postmasters, more than one quarter of the whole number of such officers, were displaced during the first five months of this administration. But the change in every instance, when not due to death or resignation, or to some reason connected with the service, is, according to Mr. Madison, an unconstitutional act. If a postmaster has been removed because of his religious belief, or his philosophical or scientific theories, or his views of a tariff, or of the question of the seal-fisheries in the Behring Sea, or of a sub-treasury, or a United States bank, his removal has been not only a violation of the deliberate and repeated pledges of the party of administration and of the executive, but it is an act which, in the case of a great business company, would lead to the dismissal of the agent who had abused

his power, and in the case of a President, Mr. Madison says, should subject him to impeachment.

Undoubtedly the President has the power of removal. That was the decision of the first great constitutional debate in Congress. But, like all executive power, it may be abused and exercised in an unconstitutional spirit. Removal, made arbitrarily or from an unworthy motive, cannot be justified by the mere fact that the power of removal exists. In the last angry days of the slavery controversy, when Mr. Douglas argued that the people of a Territory, meaning a majority of male white adults, had the right to establish slavery if they should choose to do so, the conclusive answer was that they had no moral right to choose to do a wrong, for a wrong slavery was adjudged to be by the common conscience of mankind. All power is to be exercised reasonably, not arbitrarily; and in case of the President it is to be exercised in accordance with the constitutional intention and with the announcement previously made to the country of the principles by which, and in the spirit in which, it will be exercised, and which the country has approved.

How, then, have the pledges of the successful party and candidate been fulfilled? Have fidelity and efficiency proved to be the sure tenure of office? Has fitness and not party service been the essential test in determining appointments? Has the interest of the public service alone dictated removals from office? Has the great pledge of the platform that the spirit and purpose of reform should be observed in all executive appointments been honorably fulfilled? Or have such appointments

generally been made precisely as they would have been made had there been no platform promises, no pledges of the candidate, and no public interest in Civil-Service reform?

It is not an answer to these questions, it is only an evasion of them, to say that reform is not favored by a majority of the people. The only way in which the views of a majority of the people can be known is by the result of an election. If the election of last year showed that the country is in favor of protection, it showed, by precisely the same demonstration, that it is in favor of Civil-Service reform. If there be any relation between party platforms, the pledges of candidates, and the results of an election, the country, in electing Mr. Harrison, declared for Civil-Service reform. For, if an election cannot be held to be a popular approval of the platform and the personal pledges of candidates, who shall decide how much of them, and in what sense and degree any of them, have been approved? In any event, whatever doubt may rest upon the views of the majority of the people in regard to reform, there can be no doubt of the views and purposes and pledges of one citizen. There may be some question of the extent and degree of the sympathy of others. But if the simplest statement which the English language permits, if the plainest engagement to pursue a certain course of conduct, if the most solemn pledges uttered before God and the country have any meaning, there is no doubt whatever of the opinions and intentions upon this subject of the President of the United States.

Nor is it any answer to these questions to say that

the President cannot outrun public opinion nor proceed faster than his party will permit. When a party has made no distinct or intelligible declaration upon a question involving his action, the President may plausibly plead that his party has not declared its views, and that he must conform his conduct to a course which he believes the party would support. But when his party, in the act of nominating him, distinctly states its views and prescribes the rule of his action, he can no longer offer that plea. It is open to another, but not to him. His party engages to support him. His duty is to follow the course which his party proclaims, which he prefers, and which the country by his election has approved. He cannot plead that the party chiefs, secretaries, senators, representatives, local leaders, newspapers, and committees are cruelly coercing him to violate the party promise and his own pledge, without conceding that the party platform was a trick and that the party sought power under false pretences. Still less can an honorable President offer this plea when his party in nominating him has prescribed his course, because, when the same plea was urged for a President whose party had purposely made no such definite declaration, it was denounced as a futile and desperate excuse for sham and fraud, for monstrous hypocrisy and contemptible charlatantry.

Our question, however, is not whether one President violates pledges more or less frequently than another. Still less is it a question of the comparative sagacity of the friends of reform in their party action. We meet, not to explain or justify such action, not to defame or

exalt any administration, but, as friends of reform and unmindful of party sympathies, to measure fairly and accurately the situation. Our question is whether the great pledge of the party of administration, that the spirit and purpose of reform should be observed in all executive appointments, has been fulfilled. If the pledge has been kept, our meeting must be one of unmixed congratulation. If it has been reasonably fulfilled, we must all rejoice. If the administration party, by the conduct of its executive, cabinet, senators, representatives, and recognized leaders, by the general tone of its press and of its adherents, proves that the platform was a just statement of the actual reform spirit and purpose of the party, there is not an honest friend of reform who will not gladly confess any error of judgment in political action, while he intones triumphantly the *Gloria in excelsis*.

What, then, is the answer? What is the spirit of the party and the conduct of the executive? The answer, of course, involves great detail, and can be only generally indicated. Let us look at the signs of party feeling.

A few weeks ago, a hilarious administration-party organ at the capital of New York, one of the most influential and representative party journals, exclaimed: "Fifteen thousand fourth-class postmasters have been removed to date, and Mr. Clarkson remains in Washington with his coat off and his shirt-sleeves rolled up. Go it, Clarkson! Out with the whole fifty-five thousand by January 1st." It adds, with natural enthusiasm, that Civil-Service reform cannot command the support of a

corporal's guard of Republicans in New York. In Missouri the chief party organ thinks Mr. Clarkson's labors, although laudable, yet rather deliberate in the direction of true reform, and is confident that, "when the dog-days are over and cool weather sets in, Colonel Clarkson will greatly accelerate his speed." The leading rural organ in the State of Indiana asserts plainly, "Neither political party cares a continental about this humbug, Civil-Service reform." In New Hampshire the chief administration organ, arraigning reform as "stuffed and painted and unpopular humbug," and "a bald, rickety affair that bullies and wheedles good citizens," inexorably condemns it to "the scrap heap." In West Virginia a zealous organ believes devotedly that the spoils belong to the victor; and its editor, having secured his part of the booty, announces that at the earliest practicable date every Democratic appointee in the office intrusted to him, "from the humble and poorly-paid applejack gaugers to the well-paid store-keeper and clerks, will be succeeded by Simon-pure-all-wool-and-yard-wide Republicans." In Pennsylvania an administration journal of importance declares that "the people are tired of the sham of reform, and would gladly snow it under with their votes." In Ohio a similar representative administration organ warmly commends an officer who disregards the humbug. In Iowa the Washington correspondent of a journal of the same character says that no administration member of Congress that he meets favors the law, and announces that "it will be repealed, as it ought to be"; while one of the chief journals in central New York holds, notwithstand-

ing the express words of the platform, that the President is not bound to go beyond the law and enforce the spirit of reform. Another, commending the refusal of the President to place the clerks of the Census Bureau under the rules of the Civil Service, declares its belief that the decision will be satisfactory to the party.

This is the tone of the larger part of the press of the administration party. No jeer is too contemptuous for reform, no epithet is too acrid. No platform of the opposition was ever denounced by party fury with greater scorn than that with which a representative body of the administration press now spurns its own. Naturally this uniformity of tone in the party journals throughout the Union is echoed by party assemblies. The Federation of Republican Clubs in the third Maryland district, representing twenty-three associations, pledge themselves not to support for any office a candidate who honestly adheres to the national Republican declaration upon reform. The Central Committee of the District of Columbia denounces "the cowardly, treacherous policy that to the defeated belong the spoils." The Republican general committees in two New York counties denounce as un-American and unfair the Civil-Service law which the Republican platform pledges the party to extend; and State conventions of the administration party in three of the great States which it controls, Pennsylvania, Iowa, and Ohio, which formerly loudly declared for reform, are this year silent. Three members of the Cabinet decline to profess their adherence to the most emphatic declaration of the party platform; and one laughingly remarks that he does not think he

has appointed many Democrats to office so far. Eminent senators and representatives of the party sneer with warmth at the cant of reform and dog the President for patronage. One representative announces that he will "test the sentiment of the House on the sham Civil-Service law," alleging that "nine tenths of the members know that the law is a fraud, and say so in private"; and the energetic representative proposes "to smoke them out and put them on record."

These are facts wholly without precedent in our political history. To find a parallel we must appeal to imagination, and suppose some secretary in Jackson's Cabinet publicly laughing at the party platform, and Democratic clubs and committees and a powerful part of the party press eagerly sustaining the United States Bank, and insisting that true democracy and the genius of American institutions demand its re-charter and permanence. Or we must try to figure Republican senators and representatives of the last generation arguing the justice and humanity of the Fugitive-Slave law, and the Republican press and local committees asserting the right of slave-holders to take slaves into the Territories, and declaring the freedom of the Territories as demanded by the party platform to be unconstitutional and un-American. The Republican platform of thirty years ago did not declare against the extension of slavery into the Territories more forcibly and absolutely than the platform of last year declared for reform of the Civil Service. Such an attitude of party leaders and of the party press in former years towards the platform of their own party would have been that which the

larger part of the administration press and of the boldest and most aggressive administration leaders to-day hold.

While this is the sentiment of the party as revealed in all the ordinary methods, what is the executive action? Does that conform to the platform promise and the President's pledge? The knowledge of every citizen in his own community answers. The daily record of the newspapers for seven months answers. The general political proscription; the policy which President Harrison when a senator defined as "the frank and bold, if brutal, method of turning men and women out simply for political opinion"; the clean sweep which is proceeding in the post-office; the alarm which pervades every branch of the service; the open, flagrant contempt for public opinion, for private information, and for the party promise, which was shown in the appointment of the late commissioner of pensions; the executive refusal to include the census service in the rules, and the removal of public officers conspicuously fitted for their posts by character, ability, and experience, who have absolutely and confessedly disregarded politics in their devotion to official duty and the public service—all these facts, and such as these, answer the question, How has the executive action conformed to the party promise and the President's pledge?

There are two signal illustrations of the manner in which those pledges have been kept. The fundamental principle of reform or of reasonable conduct of the public service requires the retention and reappointment of public officers in important places who are especially fitted for their trusts by personal character and proved

ability, by long service and great experience; who are in no sense active politicians, and who are exclusively and most efficiently devoted to their official duties. When the administration came into power upon a platform of reform, it found two such officers in the city of New York—the postmaster and the naval officer. Both of them had what is almost impossible under a spoils system, pride and enthusiasm in the public service, in which both of them were knights without fear and without reproach. The administration could have given no such practical proof of its regard for reform as their retention in office. One of them, the postmaster, was summarily dismissed at the expiration of his term, nor can any reason connected with the public interest be assigned as the cause of his dismissal. The other, the naval officer, was displaced before the end of his term without a word or a sign or a reason alleged. The ablest and most serviceable of experienced public officers are dismissed like messenger boys. There is no other civilized government which pursues in its public service a course which the President has truly described as brutal, and which he has chosen to pursue.

There is no pretence that the public interest, or the principles of reform, or the professions of the party, or the pledges of the President required their dismissal. The President, speaking for the party, had made the four pledges which I have mentioned, and every one of them was violated by these dismissals. It is not pretended that there was any reason for the executive action except the desire to reward party service, which, whether a sound reason or not, the President had publicly dis-

claimed as a proper motive for appointment or cause for removal. The dismissal in the case of the naval officer was delayed only until the factions of the party which had proclaimed that the public service should not be made party plunder could agree upon a satisfactory distribution of the spoils. The result is that the two public offices, one of them by far the largest and most important of its kind in the country, which were in themselves conclusive illustrations of the practical value of reform to the public welfare, have been degraded again into prizes of partisan activity by the administration of a party which solicited support upon the plea that reform of the Civil Service, auspiciously begun under its guidance, should be further extended wherever it was applicable. The genius of Shakespeare, which embraces all experience and gives us words for every emergency, in the passionate scene between Hamlet and his mother, depicts him as accusing her of conduct which "calls virtue hypocrite," and makes her vows "as false as dicers' oaths."

Do I conceal or distort the significance of the situation? It must be judged, of course, as a whole. Certainly every act of the administration is not a violation of the party declarations. Every removal is not unjustifiable, nor is every appointment unnecessary. But, whenever a change is made, the essential question, according to the principles of reform and the party pledge, is not whether party politicians demand a change, but whether there are legitimate reasons for it. It is not enough that the appointment of a postmaster or a naval officer shall be acceptable to the party machine of

which he is a screw; the vital question is whether the interests of the public service and the express engagements of the party with the country require that a perfectly competent and satisfactory officer shall be dismissed. This question is not answered by saying that his successor is personally honest and intelligent. If all the public officers were changed every week, the supply of honest and intelligent successors would not be exhausted. The appointment of a good officer is no excuse for the needless and arbitrary removal of another good officer. The League justly held that the course in regard to the Civil Service pursued in Massachusetts by the late administration was no excuse for the course pursued in Maryland. It is true that Rome was not built in a day, and that a great reform cannot be accomplished at once. That is a sound general proposition. But no executive bent upon reform in the Civil Service would urge as an excuse for displacing an entirely capable officer that he desired to reward a serviceable partisan with his place. Upon those terms Rome would not only never have been built, but the first stone would never have been laid.

The President has selected an admirable Civil-Service Commission. Every member of it is a sincere believer in the necessity and the practicability of reform, and its vigilance and vigor are the best earnest of its effective service. He has refused, also, to extend the time appointed for including the railway mail service within the rules, and he has authorized the publication of the eligible lists. Besides these few executive acts, the significance of which is destroyed by the general ex-

ecutive course, there is little that shows any effective party regard for the resounding promises of the platform. The few administration senators and representatives who have professed to favor reform, and who lashed with stinging rhetoric the failures and inconsistencies of the late administration, now, when their conviction and courage find a fitting opportunity, are passive and silent. They see the general violation of pledges by which the party pledged them. They see the principles which they declare ought to control the power of appointment and removal openly disregarded. They see the abuses running riot, and apparently with their connivance, which they have themselves denounced. Yet, instead of frankly refusing to do what they joined in declaring should not be done, instead of indignant protest in the name of their party and of honest politics which should alarm those who make merchandise of the party faith and of the public service, they wail feebly that it is doubtful if the country really wants reform, that the pressure of trading politicians is very strong, and that there are many other important questions; and the Massachusetts Convention, in face of the familiar and flagrant facts, congratulates the President upon the practical wisdom and honest purpose with which he has dealt with the complicated and difficult matter of appointments—praise which was as justly due to the first great presidential spoilsman, Andrew Jackson, as it is to his latest successor.

There is, indeed, a firm and strong protest in a portion of the party press against the abandonment of the plat-

form. But these papers, like the leaders, do not condemn the constant contempt for reform shown by the administration. They commend the personal character of those who are appointed to office, without stating frankly that it is not the appointment but the removal which truly indicates the spirit and drift of the administration. They speak in no tone of challenge and command and conscious power to arrest the executive and the party chiefs of every degree in the reckless repudiation of good faith with the country. Unwilling to own that the platform promise and the executive pledge are of those professions

“That palter with us in a double sense:
That keep the word of promise to our ear,
And break it to our hope,”

they serve only like stakes planted in a current to show the swiftness of the stream. One of them only, so far as I know, and that a Republican journal in Philadelphia, with an independence worthy of an American newspaper, with whatever party in sympathy, says of the administration what must be accepted as a just verdict: “The administration, in almost every one of its acts since it was inaugurated, on the 4th of March last, has scouted and flouted Civil-Service reform and trampled under foot its own promises to respect it. It has turned it out of doors and barred the doors against it. That is the truth about the matter, in brief; and the administration and its organs could do no better, wiser thing than frankly to confess that, having found Civil-Service reform to interfere with its

plans, it whistled it down the wind as remorselessly as it would dismiss an objectionable tramp."

So say you, Mr. Foreman; so say we all, gentlemen of the jury. There was never a more comprehensive and significant declaration of reform made in a party platform than that under which the present administration came into power. But no party ever broke faith with itself and with the country more completely. It is not, however, a new situation. During the nine years of the existence of the League, whatever may have been the profession, reform has not been the practice of either party. Nevertheless, it has advanced steadily and surely in the face of party contempt and wrath and denunciation.

"Yet, Freedom! yet thy banner, torn, but flying,
Streams like the thunder-storm *against* the wind."

Last year I recounted in detail the actual achievements of reform in the laws and in practice. They mark the rising tide of public sentiment. "With public sentiment," said Mr. Lincoln, "nothing can fail; without public sentiment, nothing can succeed." The severe standards by which the executive conduct in regard to Civil Service is tested by intelligent and independent citizens who believe that honesty is the best political policy; the impressive and startling contrast offered in the centennial year of the Constitution between the tone and course of the first and later administrations; the deepening sense of shame that alone among the great powers of Christendom we degrade our own public service—all show unmistakably how profoundly the

public conscience is stirred. The great spectacle of the moment is a great object-lesson. The argument for reform is steadily driven home by wanton party prostitution of the public service. Happily there is a conservative and patriotic public intelligence which is the sure and invincible bulwark of popular institutions, because it saves popular impulse from its own excesses. When that intelligence fails, the republic ends. But that it is not failing our recent history shows. It has already extorted from party a profession of reform. It will presently compel a policy of reform, unless, as Goldwin Smith suggests, party can be maintained only by corruption and the bribery of place. But that is not yet the American faith. We do not believe that popular government is possible only when dishonest. But, on the contrary, although taught by recent and startling experience that corruption is to-day the chief peril of the republic, and believing that nothing more certainly stimulates it than the practice of converting the vast sum of the salaries of the Civil Service into a bribery fund at every national election, we have seen the awakening and the advance of the spirit of reform. As with all progress worth fighting for, the contest is stubborn and resolute. Delays and defeats are inevitable, but temporary. The advance is sure. The thunders of the Church did not persuade Galileo that the earth did not move; and the roar of the party machine and the gross violation of pledges by the President, the post-master-general, by senators and representatives in Congress, by party committees and local leaders, all of which we have heard and seen before, do not convince us that

the reform sentiment of the country is not stronger every day.

The familiar plea by which the partisan prostitution of the Civil Service is defended is that the administration should be intrusted to the friends of the national policy which has been approved at the polls. This is true of every post in the administration of which the duties are in any degree affected by the election. But it is true no further, and it is true of but a very small number of places. The subordinate executive agents, as such, have no political duties. They are sworn simply to administer the law. If they are honest, their political views cannot injuriously affect their diligence and devotion to their duties. If they are dishonest, their political views cannot qualify them for public employment. Those who raise the cry that the government, meaning the Civil Service, ought to be in the hands of its friends shall not escape by refusing to say what they mean. If the cry does not mean that a postmaster would be more honest, energetic, and efficient in the handling and distribution of the mail because of his political views, it has no legitimate meaning whatever. It is merely a black flag flown at the masthead. It means only that we have captured the administration, and, not content with enacting and executing the laws, which is our true end as a party, we make prize of the vast emoluments of the Civil Service to distribute among our followers as booty.

But this cry is fatal for those who raise it; for it is the confession that a partisan service is so corrupting that it unfits men for honest and eminent public duty.

It leaves the champions of spoils contending for a system which they admit to be demoralizing. It asserts that a public servant who is faithful and capable under an administration which favors a national bank, for instance, will become dishonest or inefficient under one which prefers a sub-treasury, because, if he remain honest and efficient under the new administration, then, as his views do not affect his conduct, the public interest does not demand a change. Whoever alleges that an American citizen, whatever his political views may be, will do his sworn duty less efficiently, or even connive at the violation of laws which he is sworn to obey, because his party has not made the laws, accuses him of being a fool or a knave. To assert this of the great body of public officers is to brand American citizens as rascals. Yet this is the assumption of the theory that every non-political employé in the public service should change with a party change of administration. Why should such public officers be expected to regard their oaths more strictly, or to do their duty more faithfully, because they agree with the political views of the President, than the employés of a great private corporation, because they agree with the religious views of the superintendent?

I will take an illustration familiar to all of us. The late postmaster of New York was a Republican. But when a Democratic administration came into power he was reappointed postmaster. Did that administration betray its trust and wrongfully imperil the public service by retaining an important officer, who, not holding the political views of the President, under the theory

we are considering, would be passive, careless, and inefficient in the discharge of his duties? In fact and by the record, did this difference of political view in the least degree affect the energy, the devotion, the ability of this man, who served his country as faithfully and at a sacrifice as great as any hero of the war? Did he flout his oath, did he connive at inefficiency and sloth and delay and misconduct in the postal service, in order to discredit the party with whose political views he did not agree? Had he no honor as a man? Had he no pride in the good name of the American government? Was he so poor a creature as to derange the business convenience of the metropolis of the continent, despite his oath, his honor, and his fame, because he was a Republican and the President a Democrat?

To ask the question is to answer it. Mr. Pearson was the same upright, faithful, and honorable officer under Democratic ascendancy that he had been under Republican administration. Yet, warm as was my regard for the man, and high as was my admiration of the public officer, I do not think that he was singular in this honorable fidelity to his trust. Americans are not the scoundrels that the common spoils theory assumes. What Mr. Pearson was, in honesty and fidelity, the great multitude of public officers and employés would be, if selected and retained as he was for his fitness and not for his opinions. It is one of the worst evils of the spoils system that it tends to corrupt this honesty and to destroy this fidelity by making personal favor and political opinion, not proved fitness, both the condition of appointment and of the official tenure. Therefore it is

that the removal of every such officer solely that his office may be degraded to a reward for partisan activity is a gross public wrong, a deadly blow to political morality, to the self-respect of honest public servants, and to the American name.

The successful party in the election of last year pledged itself to promote Civil-Service reform, "to the end that the dangers to free institutions which lurk in the power of official patronage may be wisely and effectually avoided." It was not the power of patronage, but a great, humane, patriotic purpose that created the party which made that declaration. Did the complete control of the patronage of the government for a quarter of a century, a patronage enormously increased and extended, and bestowed solely upon partisans, strengthen the party in public confidence or elevate its leadership or secure its ascendancy? Is it not true that, with the great increase of patronage, political corruption has greatly and consequently increased within the party and throughout the country? Is it less true that the determination no longer to treat the vast sums paid in public business salaries as a fund to reward partisan service would be the first serious check to the corruption which now threatens our political life? Thirteen years ago one of the most eminent of Republican leaders said in the Senate—and if it was true then, is it less true now?—"I have heard the taunt from friendliest lips that, when the United States presented herself in the East to take part with the civilized world in generous competition in the arts of life, the only product of her institutions in which she surpassed all others be-

yond question was her corruption." When, three years hence, we welcome that world upon our Western shores to another competition of proficiency in those arts, shall we be content with industrial superiority and material splendor? While our inventive genius, our daring enterprise, our swift civilization of a continent, may stir the wonder of the world, shall it not be our proudest boast that, as the material miracle has been wrought under popular government, our greatest achievement is the moral miracle of the constant purification of that government by the virtue and intelligence of the people?

II.—27

XV

PROMISES AND PERFORMANCES

AN ADDRESS DELIVERED AT THE NINTH ANNUAL MEETING
OF THE NATIONAL CIVIL-SERVICE REFORM LEAGUE,
HELD AT BOSTON, MASS., OCT. 1-2, 1890

PROMISES AND PERFORMANCES

I SALUTE the city in which we are assembled. Founded upon Puritan principles by Puritan courage, foremost in the great controversy of the colonies with the crown and of the Union with slavery, from the *Arbella* to the tea-ships, from John Winthrop to John Albion Andrew, from Sir Henry Vane to Ralph Waldo Emerson, her voice has been the voice of progressive liberty and her history the story of advancing civilization. No good American cause but Boston has been its champion. Here James Otis thundered against the writs of assistance, and Samuel Adams defied the king. Through these streets Joseph Warren hastened to Bunker Hill, and from yonder common marched the first Union regiment of the civil war. Here Adams and Quincy pleaded, and Channing taught, and Garrison demanded immediate emancipation. Here, as the mighty debate that shook the Union deepened, Sumner besought Webster to heed the changing aspects of the time, and add to his great title, Defender of the Constitution, the greater name, Defender of Humanity. Here, when Webster declined the call, his party fell, the party which had been the organized political force of the conscience and

intelligence of New England. To the moral firmness and practical wisdom of the lineal successors of the Revolutionary Whigs, the Conscience Whigs of Boston and Massachusetts, the beneficent national results of the last half of the closing century in this country are largely due.

Boston, therefore, as the American nursery of political reform, of the fundamental American principle that good morals and good politics are inseparable, has seen all the vicissitudes of early reform and of uncompromising reformers. Here they have passed through all the maladies incident to infancy in reforms as in manhood. They have taken all the degrees of obloquy, ridicule, wrath, scorn, persecution, and social ostracism. But reforms and reformers have survived. Hostility has changed to homage, ridicule has become respect, anger is admiration now, and the hatred of an hour is transfigured into endless gratitude.

Indeed, some of our fellow-citizens are of the opinion that reform in this country has done its work so thoroughly that nothing remains to do; that we are so great, free, intelligent, and prosperous a people that it is absurdly pharisaic and unpatriotic to try to point out specks upon the sun; and that for every little American infelicity we ought to feel consoled by the misery of foreigners, the military rigors of Germany or the Siberian terrors of Russia. There is an amusing readiness to suspect in all criticism of ourselves a lurking preference of other lands, which is much like supposing that a demand for clean streets in Boston implies a secret belief that the streets of New York are cleaner.

Undoubtedly we are a very great, a very free, a very

intelligent, and a very prosperous nation. Our friends, the other great nations over the sea, declare that we are always boisterously saying so; that we are perpetually and offensively crowing our Yankee-doodle-doo, and are unnecessarily playing Jack Horner, putting in our thumb and pulling out our plum and vociferating that we are a very great and good boy. Undoubtedly our critics state the case fairly. We are constantly proclaiming that undeniable truth, and the best book that was ever written about us, Mr. Bryce's "American Commonwealth," says distinctly in the very ear of our elder brother Bull, "He is a very remarkable boy." Our older European friends who complain that we are vain-glorious forget that they too celebrate their own superiority. The Frenchman who does not proclaim the glory of France, the Briton who does not loudly sing that Britannia rules the waves and much of the shore, is not a typical Frenchman or Englishman. Thackeray says in one of his early papers, meditating in Paris upon an impressive historical picture commemorating an act of French heroism which never occurred, "Thus the great truth is handed down from father to son, that a Briton, a Frenchman, an Ashantee, a Hohenzollernsigmaringenite, is superior to all the rest of the world, and by this truth the dullards of the respective nations swear, and by it statesmen govern."

Undoubtedly we are a great, intelligent, and prosperous nation; but it does not follow that there are not immense abuses in our political methods, dangerous tendencies in our public life, and charlatans, demagogues, and rogues among our public men. Those who ac-

knowledge it, who propose to reform dangerous tendencies, and who pitilessly expose rogues of every degree, are not bad Americans, but good Americans; they are not pessimists, but patriots. Because we are the youngest-born and best-beloved, the very Benjamin of Liberty, because we have done much, shall we scornfully deny that there is anything more to do? Mr. Joseph Choate tells a story of a good old Federalist—perhaps he mentions another party name—who was reproached for refusing to support, let us say, the Alien and Sedition bill. “What!” remonstrated his friends, “have you deserted, have you apostatized, have you lost your pride and abandoned your principles, are you no longer a Federalist?” “Abandoned my principles?” he answered. “I am a better Federalist than ever, but I don’t see why, because I am a true-blue Federalist, I should be a darned fool *all* the time.” We are justly proud that we are Americans, but one chief source of our pride ought to be the fact that we see our faults clearly, speak of them plainly, and urgently appeal to each other to reform them, in perfect confidence that the sons will not shame the fathers by dread of heroic self-correction.

Justly proud of our country we may be, but no sensible American is proud of a disposition in Congress to make merchandise of patriotism, or to offer under any pretence to buy with money the votes of large classes of citizens, or to tolerate without rebuke conduct intolerable among gentlemen and honorable men. No patriotic American is proud of the control of a State by lottery gamblers, nor of the terrorized suppression of voters, nor of their coercion by employers. No self-

respecting American is proud of elections in doubtful States carried by "soap" or by buying mules or by marshalling voters in blocks of five, nor of national legislation palpably in the interest of owners of commodities and of classes of citizens. He is not proud when, seeing in the great cities of other countries municipal order, cleanliness, and economy, he sees the local government of the greatest city in his own country under the control of its ignorance, venality, and vice, and not of its intelligence, industry, and public spirit; nor is his American pride consoled by the remark that the city has just such a government as it chooses and deserves. He is not proud when he sees reputable and upright Americans from some fancied political necessity acquiescing in the party leadership of those who have no answer for the most damaging and detailed personal accusations of a kind and under circumstances unprecedented in our history. He is not proud when he sees a degrading and demoralizing system of appointments and removals in the public service such as might be supposed to prevail in Costa Rica or Honduras, in Turkey or the Asian provinces of Russia, extolled as especially American. He is not proud when a senator of the United States says in his place, upon occasion of the impeachment of a high public officer, that he has heard the taunt from foreigners that the only product of our institutions in which we surpass all other nations beyond question is political corruption. Nor is he proud when he is told that in a republic his only choice of action is symbolized by Thaddeus Stevens's reported question in a contested election case in the House, "Well, then, which is *our*

damned rascal?" Every American, I repeat, is justly proud of being an American, but he is not proud of such things as these. What he is justly proud of is the American willingness to acknowledge such abuses when they exist, and the American determination to correct them.

I am not saying that other times were better than ours. Public abuses and party spirit and patriotic despondency are as old as political society. Eighty years ago William Wirt said that he sought in vain for a man fit for the Presidency or for great responsibility. Chancellor Livingston died in 1813, but not until he had said that more talent and learning were demanded in Congress. I doubt if any member of Congress now is of the chancellor's opinion, and if we should venture to regret the national shame and disgrace of certain scenes in the Capitol, there would be a prompt chorus to reply that Congress is as good as it ever was. Perhaps it is, but I never heard that it was any consolation to a drowning man to be told that one of his ancestors was hung. If an observer were disposed to wish that some things were different in Congress, he might not feel that he was answered satisfactorily by being told that Chancellor Livingston wished the same thing eighty years ago. I am not now extolling the earlier day nor praising the superior virtue of our fathers. But it is not a noble people which excuses its own faults by exposing its fathers' shame. Happily time idealizes the past as distance softens the sharp outlines of receding mountains, and it is always well to measure ourselves, if not with our actual historic ancestors, then with what our filial and

patriotic reverence believes them to have been. The heroes who traced their descent from gods were spurred by a divine emulation. It will do us in New York no harm when we come to nominate a governor, to remember that John Jay and De Witt Clinton have been governors of New York, nor are we Americans less likely to select a fitting man for the Presidency if we recall that Washington and the Adamses, Jefferson, Madison, and Abraham Lincoln have been our Presidents.

Again, because I mention things which are disgraceful and dangerous in our own country, I am not saying that other countries are distinguished by a higher public welfare and private happiness than ours. For myself I have seen Naples, but I prefer New York. I know no place in which I would rather live than the place in which I do live. But I do not therefore think Tammany Hall the gate of heaven. When we acknowledge and decry an evil tendency in our time and among ourselves, we do not deny its existence elsewhere at other times. In this country we are largely men of English stock. Our political traditions, usages, and spirit are mainly English. Every man in any land who speaks the English tongue and is sprung of English blood is, or ought to be, honestly proud of his great lineage of constitutional liberty, and if he be worthy of it he does not deplore his political origin. But, enriched by other blood and under other friendly conditions, we have grafted the English stock, as we believe, with a fresher life, until on the American continent it spreads into a wider sweep of hospitable shade and towers more loftily towards an equal heaven. Yet there is an American puerility which

scoffs at the healthy and vigorous American exposure and rebuke of American evils and dangers, as due to overweening admiration and envy of what our fathers truly and fondly called the mother country. But I confess that it strikes me differently.

There are just reasons for American admiration of England, but superior political virtue is not one of them. Lord Chatham paid a famous tribute to the Continental Congress, and the most upright modern statesman of France, Guizot, agreed with him that no nation had ever such a group of able and high-minded public men to guide its first steps as the people of the American republic. The force of that impulse has not yet expired. It is the spirit of those men, not of their British opponents, which stimulates the American protest against political corruption. When I hear of buying and selling votes, of the recklessness of party spirit, of jobs and bribery, of the prostitution and degradation of the public service, of political corruption and charlatany, I do not recall the men of the Continental Congress and the Constitutional Convention, but I remember Walpole and Newcastle, and George III.'s agents turning Parliament into a market, and Edmund Burke's denunciations of the rotten boroughs and his trumpet call for reform, and the more recent and amusing melodrama of Lord Jingo Beaconsfield; and to my English critic who assures me of his poignant grief at seeing in my country what I also behold, I can only reply, "So English, you know." And to the shallow, swaggering American who decries the protest as a feeble imitation of British fashion I say, Read the his-

tory of your own country, and try to understand American manhood!

But then I must honestly add that grappling vigorously with domestic abuses of every kind, and effectively correcting them, is also "so English, you know," and in nothing more than in this disposition do we Americans illustrate the tradition of our race and illustrate our descent from the champion of constitutional liberty. Whether other times and countries were better or worse than ours, our pride in America would be a paltry emotion if it did not lift us to scorn such things as I have mentioned, and highly to resolve that in our time and in our country they shall cease to be. Like the cruel abuse of prisoners and the insane, like the noisome filth of cities and the unpitied wretchedness of poverty, if they were to be expected in the eighteenth century, they are disgraceful in the nineteenth. If they were good enough for Europe and the colonies, they are too bad for America and the United States. If they were good enough for our fathers, they are not good enough for their sons.

No American, it seems to me, is so unworthy the name as he who attempts to extenuate or defend any national abuse, who denies or tries to hide it, or who derides as pessimists and pharisees those who indignantly disown it and raise the cry of reform. If a man proposes the redress of any public wrong, he is asked severely whether he considers himself so much wiser and better than other men that he must disturb the existing order and pose as a saint. If he denounces an evil, he is exhorted to beware of spiritual pride. If

he points out a dangerous public tendency or censures the action of a party, he is advised to cultivate good-humor, to look on the bright side, to remember that the world is a very good world, at least the best going, and very much better than it was a hundred years ago.

Undoubtedly it is, but would it have been better if everybody had then insisted that it was the best of all possible worlds, and that we must not despond if sometimes a cloud gathered in the sky, or a Benedict Arnold appeared in the patriot army, or even a Judas Iscariot among the chosen twelve? Christ, I think, did not doubt the beloved disciple nor the coming of his kingdom, although he knew and said that the betrayer sat with him at the table. I believe we do not read that Washington either thought it wiser that Arnold's treachery should be denied or belittled, or that he or any other patriot despaired although the treason was so grave. Julius Cæsar or Marlborough or Frederick would hardly be called a great general if he had rebuked the soldier who reported that the lines were beginning to break. When the sea is pouring into the ship through an open seam everybody is aware of it. But then it is too late. It is the watch who reports the first starting of the seam who saves the ship.

It is an ill sign when public men find in exposure and denunciation of public abuses evidence of the pharisaic disposition and a tendency in the critic to think himself holier than other men. Was Martin Luther, cheerfully defending his faith against the princes of Christendom, a pharisee? Were the English Puritans, iconoclasts in

Church and State, but saviors of liberty, pessimists? Were Patrick Henry, demanding liberty or death, and Wendell Phillips, in the night of slavery murmuring the music of the morning, birds of ill omen? Was Abraham Lincoln, saying of the American Union, "A house divided with itself cannot stand," assuming to be holier than other Americans? To win a cheap cheer I have known even intelligent men to sneer at the scholar in politics. But in a republic founded upon the common school such a sneer seems to me to show a momentary loss of common-sense. It implies that the political opinions of educated men are unimportant, and that ignorance is a safer counsellor of the republic. If the gentleman who, in this very hall, last stooped to that sneer had asked himself what would have been the fortune of this State and this country without its educated leadership from Samuel Adams to Charles Sumner—both sons of Massachusetts, both scholars in politics from Harvard College—he might have spared his country, his party, and himself, the essential recreancy to America and to manhood which lies in a sneer at education. To the cant about the pharisaism of reform there is one short and final answer. The man who tells the truth *is* a holier man than the liar. The man who does not steal *is* a better man than the thief. The senator from Massachusetts, declaring that politics are moral principles applied to public affairs, is a truer patriot and a nobler American than the senator from Kansas, declaring that the Decalogue and the Golden Rule have no place in a political campaign.

Our plea for Civil-Service reform rests upon the actual

situation. Other public questions than that of political corruption engage the public mind, but none takes precedence of it in importance. We say of it what Dunning said of the power of the crown: it has increased, is increasing, and ought to be diminished. Under our government reform can be accomplished only by party administration. Yet the chief obstruction is the fact that the evil is common to both parties. No intelligent man would seriously allege, whatever partisan orators and newspapers may assume, that buying votes or prostituting the whole power of the public patronage in every form of appointment and removal, of salaries, of contracts, of judicial references, of lucrative opportunities, are practices confined to one party, or that what is known as the machine of one party is better than that of the other. The old Democratic Plaquemine frauds in Louisiana were like the old Whig pipe-laying frauds in New York. The modern Republican "soap" and "fat-frying," and the money raised for secret-campaign funds, of which no account is ever rendered, belong to the same system of corruption as the modern Democratic mule-buyings and money barrels and Tammany sales of judicial nominations. These things are not distinctively Republican or Democratic. They are the common crime of parties, the common disgrace of the national name, the common danger of American institutions, the common reproach of American citizenship, and it is the common duty of that citizenship to arrest and correct them. Reform of the Civil Service is one of the plainest, most direct, and most effective methods of correction, because it reaches the great fundamental

corruption fund, the enormous wages of public employés, and the vast opportunities of public contracts; because it disbands the organized office-holders, the political janizaries of the republic—all constituting a system of coercion and bribery universally practised, with the authority of long tradition and of national acquiescence.

The government itself in this way sanctions corruption. It leads the way in public demoralization, and on the greatest scale tempts to the commission of crimes which its own laws punish. By treating the emoluments of public employment as rewards for the discharge of the common duties of citizens, the party of administration, whatever it may be, corrupts the motives of political action, promotes cheating and violence at the polls, and resorts to an insidious form of the bribery which the laws condemn. If a man may properly sell his vote for five hundred dollars in the guise of a public office, or fifty thousand dollars in the form of a job, he may as properly sell it for five dollars in cash. When a party practically promises a general sack of the public salary fund in the event of its success, it appeals to the most venal motives, and invites votes, not by faith in its purpose to advance the public welfare, but by hope of individual pecuniary gain. Partisan prostitution of the public service is radical treachery to popular government, because it makes private interest, and not the public welfare, the motive of political action. If, as shrewd observers hold, the most obvious change in American character within the century is the decline of public spirit, one of its most fruitful causes is the spoils system ;

and to the same source—the expectation of reward for the discharge of the public duty which rests upon every citizen—may be traced the distorted and demoralized public sentiment which largely prevails in regard to military pensions and reckless public expenditure. To argue that the common duty of American citizenship in peace or war will not be discharged without bribery of place or money, is to acknowledge that honest and efficient government is not in itself the highest and only legitimate reward, and to admit that corruption has already done its fatal work. There can be no more hopeless pessimism than this, and no greater treachery to the fundamental American principle. When government itself puts a price upon public spirit, it degrades and demoralizes the national character and every relation of life, inviting the people to measure all action by the standard of money. But when the government which does this is itself the people, it is plain that they can confront no greater peril nor consider any question more momentous.

In the interest of reform it is the annual duty of the League to test the performance of the administration by the principles of reform, and I can best discharge this duty this year by considering a question which is frequently and strongly urged upon my attention. It is this: Is the conviction of the necessity of reform so general, is public opinion upon the subject so ripe, that the friends of reform may wisely abandon a separate movement and merge their action in that of some existing party? In other words, is there already a political party which is actually a party of reform? If there be

such a party, I invoke the inquisitive shade of Flanagan and ask, What are we here for? As reformers, the League is composed of Protectionists, advocates of a revenue tariff, Prohibitionists, and Independents, Republicans, Democrats, and Mugwumps. In answering the question, therefore, I shall bear this fact in mind, however plainly I may speak.

The Republican party has unquestionably declared itself in the strongest manner to be a party of Civil-Service reform. At the same time and with equal force it announced that it was the party of protection, and it also demanded effective legislation to secure the integrity and purity of elections. These were the three cardinal declarations of the platform, and one of them was especially addressed to Civil-Service reformers. Has the course of events during the year and since our last meeting justified the assertion of eminent Republicans that all honest and practical reformers ought to adhere to a party which has proved its fidelity to reform? If it has done so there can be but one answer. But has it done so?

In accordance with its declaration of protection the Republican Congress rapidly matured a tariff at which, as many Republicans think, even Henry Clay would have blushed; and in its eagerness to fulfil its pledge, hardly stopping for debate, it passed the tariff bill in the House, and the delay in the Senate led to protests and complications which seemed to threaten a serious breach in the party. The party platform also demanded a free vote and a fair count, and to secure them the party leaders prepared a bill which with the same ardor

was swept through the House ; and again irritated party journals chafed at the slow Senate, and, like the galleries of the French convention of 1793, imperatively demanded the passage of the bill. With all this zeal and eager haste not to break its pledged faith with the country and to carry out the promised policy of protection and of free elections, we might naturally expect the party to have shown equal zeal in fulfilling its other great promise of Civil-Service reform. A revised tariff, an election bill, and Civil-Service reform were the three great party promises. They were the three distinct pledges, as I think every Republican will agree, upon which the party appealed to the country. If with Mr. Lincoln it had said, One war at a time, and this time the war is for protection, there could have been no question or misunderstanding. But it did not say so. While, however, it was content with merely making the promises of a protective tariff and an election law, it did not pledge itself to keep them. But the promise of Civil-Service reform it expressly proclaimed that it would not fail to keep.

What was this promise? Was it only to enforce a law already on the statute-book, which is confessedly but a tentative beginning of reform? It was very much more. The platform affirmed that reform ought to be completed by extension to all grades of the service to which it is applicable, that the spirit and purpose of reform should be observed in all executive appointments, and that all laws at variance with existing reform legislation should be repealed. This was the promise. The candidate accepted it and reiterated the pledge. Upon

this comprehensive and unequivocal declaration, and upon those for protection and for an election law, the party went to the country. The country at the election adopted the platform as the policy of administration. It authorized a revision of the tariff, the enactment of an election law, the extension of the reformed system to every grade of the public service to which it is applicable, appointments and removals according to the spirit and purpose of reform, and repeal of all laws at variance with reform legislation. It is now a year and seven months since the party with this authorization came into complete control of every branch of the government, and we have the highest assurance that every promise has been fulfilled and every pledge redeemed.

On the 26th of August Mr. McKinley, the distinguished leader of the House of Representatives, said in Ohio, "I do not recall any legislative body which has so thoroughly kept the pledges of the party electing it as the present majority in the House of Representatives." In commenting the next day with admiration upon the speech, the New York *Tribune* said, "The House, at least, has thoroughly kept the pledges of the Republican party." On the 4th of September, at Portland, in Maine, the Speaker of the House declared, amid the enthusiastic acclamation of his audience, "We have achieved all that the party promised and more. Most platforms are but glittering generalities, good enough for the campaign, but our last platform has been treated by the House of Representatives like a deed of trust." The speaker and the leader did not mean that the House alone has been faithful, because that

would imply the recreancy of the executive and the Senate, and impeach the good faith of the party before the country. The evident intention is to claim proudly that the party has thoroughly redeemed, or is in course of redeeming, its pledges; that a revised tariff bill has been practically passed; that a national election law is in progress; that Congress is extending the reformed system wherever it is applicable; that appointments and removals have been made according to the principles of reform, and that all laws at variance with them are in course of repeal. Let us test the accuracy of this unqualified assertion by the facts in regard to the pledge of reform in the Civil Service.

To how many grades of the service to which it is applicable has the reformed system been extended? Not one. How far has the spirit and purpose of reform been observed in all executive appointments? There are about twenty-six hundred postmasters appointed by the President. More than sixty-five per cent. of them have been changed. There are more than sixty thousand fourth-class postmasters appointed by the postmaster-general. Almost half of the whole number, and much the larger part of those in desirable offices, have been changed within the nineteen months of the administration—the largest record of changes, I believe, ever made within the same time. It was promised that the spirit and purpose of reform should be observed. That spirit and purpose demand retention of public officers of the highest efficiency in places which are not political. How many such officers like Mr. Pearson, late postmaster of New York, and Mr. Saltonstall, late

collector of Boston, have been retained? In place of such officers, how many successors have been appointed primarily for fitness and not for politics? Every community can answer. The platform declared that all laws at variance with the object of reform legislation should be repealed. The power to repeal was given by the election. Chief among these laws, and chiefly intended by those who drew the declaration, were the laws which prescribe official terms of four years, one of the earliest and greatest victories of the spoils system. This declaration in favor of repeal was drawn six years ago. It has been solemnly published in the same words by two successive conventions. During the six years how many of these laws have been repealed? How many party conventions or party journals have demanded their repeal? How many Republican members of Congress have proposed to repeal them or any other laws which facilitate corruption by patronage? So far as I am aware, not one.

The party administration declared that all these things were to be done to the end that the dangers to free institutions which lurk in the power of official patronage may be wisely and effectually avoided. Is it to avoid those dangers that the post-office department has been administered in a more partisan spirit than ever before; that the postmaster-general has declared that he should not think of appointing a Democrat if he could find a fit Republican; that the assistant postmaster-general laughed to scorn one of the chief party pledges under which he became a public officer, and was enthusiastically congratulated upon his contempt

of the pledge by an organized association of members of the party, and that the whole postal service of the country has been reconstructed for party purposes? Senator Hiscock of New York, to spur the Senate to action upon the tariff, said that not to pass the tariff bill would be not only a violation of the most solemn party pledges, but it would be perfidy to a direct trust imposed upon Congress by the voters in 1888. How was this trust imposed but by the result of the election? And how does the election impose the fulfillment of one promise and not of another? How is the declaration in favor of Civil-Service reform a less solemn pledge of the party, or a less direct trust imposed by the election upon Congress? And how is it less perfidy for the President, the House, the postmaster-general and his assistant, deliberately to neglect or violate one solemn pledge of the platform than for the Senate to disregard another?

Why should not reasonable and intelligent men tell the truth frankly? The year has demonstrated incontrovertibly that while the Republican party, absolutely dominant in the administration, is a party of protection, it is not a party of Civil-Service reform. Its careful and elaborate tariff declarations were sincere. They were intended to be the substance of the platform, because the Republican leaders thought that Mr. Cleveland had thrown away the chance of the Democratic party by his message of 1887, and they were sure that upon the issue of protection they could carry the country. But the Republican platform declaration of 1884 upon Civil-Service reform was reiterated in the same words in

1888, not as a cardinal article of party faith, like the non-extension of slavery in 1860, or the unconditional prosecution of the war in 1864, or the measures of reconstruction in 1868 and 1872, but both as a gibe and a lure for independent voters. No sincere Republican, I think, would say that the party and the platform in 1888 meant Civil-Service reform in the same sense that they meant protection, or that they had meant the restriction of slavery in 1860. The political devastation of the post-office and other offices which has been accomplished within nineteen months would have been as impossible under a reform administration as the reduction of the tariff to a revenue basis under a protection administration. It is undeniable that, in passing a tariff bill, the Republican party has kept its promise. It is equally undeniable that, in the general partisan pillage of the Civil Service, the Republican party has broken its promise.

This is not to say that nothing has been done, nor that the reform law has been either grossly violated or generally disregarded. It is only saying that the party cannot honestly claim the confidence of Civil-Service reformers. The law, indeed, might have been repealed, as Republican representatives in Congress and Republican journals have desired. But it is still a law. The Commission might have been paralyzed, but it remains efficient and alert. Mr. Commissioner Roosevelt, whose fidelity and zeal cannot be questioned, assures us that ninety-two per cent. of employés who were appointed in the classified service under the late Democratic administration still hold their places, and that the law has

been fairly enforced. Congress, also, after some Republican opposition, has granted the Commission five additional clerks with salaries amounting to \$6600. The prompt protest of the League and of the friends of reform prevented the nullification of the rules by Congress in the appointment of additional medical pension examiners, and some postmasters upon urgent local requests have been retained. Mr. McKinley, also, in the House, when arguing for the appropriation for the five clerks, declared that if his party is pledged to one thing more than another it is to the Civil-Service reform law, which, he added, "is sustained by the best sentiment of the country, Republicans and Democrats alike." He was seconded by Mr. Henry Cabot Lodge, who stated with force and lucidity the principles of reform. The *New York Tribune*, also the *Philadelphia Press*, *Telegraph*, *Ledger*, and *American*, the *Chicago Inter-Ocean*, the *Boston Journal*, and *Worcester Spy*, and other leading Republican organs, vigorously advocate reform.

These are all very agreeable and very significant facts, for they show the steady rise of public opinion. But what I have stated is the total fulfilment during the year of the great promise of reform. There has been no increase of appropriation except for the five clerks, and Congress has not yet acted upon any other of the recommendations made in the last report of the Commission. There has been no pretence that the service has not been treated as spoils; there has been no repeal of the four years' laws or attempt to repeal them; there has been no enlargement of the classified service by executive or legislative action since the 30th of June, 1889.

The number of persons embraced in the classified service is larger perhaps by three thousand than it was a year ago, but this is due wholly to the growth of the service previously classified, which now includes probably about thirty-two thousand places. If this were the manner in which the Republican promise of tariff revision and of an election law had been fulfilled, would the Speaker of the House and the leader of its majority have celebrated with so joyful a hallelujah the thorough fulfilment of every party pledge and the sacred observance of the party promises? If private trustees had so executed a deed of trust, would they have been proudly eager to call public attention to their performance?

The leader of the House, and the Republican journals which advocate reform in the abstract, would hardly admit that the reform declarations of Mr. Cleveland and his secretary of the Treasury, Mr. Fairchild, the appointment of Mr. Pearson, the fair enforcement of the reform law, and many other excellent acts of the late administration, with the strong support of many friendly papers, proved the Democratic party to be a party of reform. They would be wholly justified. No intelligent man would venture such an assertion, and certainly such facts do not prove it. But they prove it quite as much as some excellent appointments of President Harrison, and the fair enforcement of the reform law, and the frank declarations of Mr. McKinley and Mr. Lodge, and the admirable articles of certain newspapers, prove the Republican party to be a party of reform. Of what avail, as such proof, are the words of Mr. McKinley against the contemptuous words and despoiling deeds of Mr. Clark-

son? But is Mr. Clarkson denounced and repudiated by the Republican press, by Republican conventions, by Republican orators? Mr. Butterworth, in the House, doubts for one brilliant moment the wisdom of certain details of the tariff bill; Mr. Plumb, in the Senate, prefers a lower tax on crockery; Mr. Halstead, in the press, doubts the timeliness and expediency of the election bill; Mr. Blaine himself is unable to see in the tariff bill visions of greedy foreign markets opening to the American farmer—and instantly the party heavens darken, in newspaper offices the thunder of warning growls and the lightning of denunciation flashes, the lurid air resounds with the explosion of dreadful epithets—"renegade," "apostate," "traitor," "assistant Democrat." The whole party is in an uproar; the hesitating heretics are warned to remember the solemn promises of the platform, the awful mandate of the country, and to pause shuddering but repentant upon the brink—which, when the vote is taken, they wisely do.

But if one platform pledge be so vital, and its least neglect or infringement so fatal, why not another? If Mr. Plumb be condemned as a deputy Democrat, and Mr. Halstead branded as an apostate, and if even Mr. Blaine rock in the doldrums of party doubt, not because of rejection or scorn of any party pledge, but merely because of difference of view as to the degree or method of applying an accepted party principle, why should Mr. Clarkson be feasted and cheered by fellow-Republicans after contemptuously rejecting a professed party principle, ruthlessly violating a party pledge, and at every cross-road in the Union gayly posting his party as a liar?

The reason is not that Mr. McKinley and Mr. Lodge and the party papers which I mentioned are playing false, but simply that they are playing. They are not in dead earnest. Republican organs called the Republican tariff dissenters and Republicans who would defer the passage of the election bill Benedict Arnolds, because the party is aggressively a party of high protection and of a national election law. But they do not call Mr. Clarkson Judas Iscariot, because the party leaders generally, and their captains of hundreds and lieutenants of fifties, scorn Civil-Service reform, and heartily approve and applaud Mr. Clarkson's course.

I said three years ago that, however worthy of respect and confidence for many reasons the Democratic administration might be, this League did not regard it "as in any strict sense of the words a Civil-Service reform administration." So I say now of its successor. It would be a great misfortune for the cause of reform if it were supposed that the League held certain excellent executive appointments, and the unqualified declarations of the leader of the House, and the strong expressions of some leading Republican journals, and the retention of ninety-two per cent. of the employés in the classified service—which was equally true of the last administration—gratifying and encouraging as such signs undoubtedly are, to be a fulfilment of the Republican pledge to observe the spirit and purpose of reform in all executive appointments, and to correct the dangerous evils of patronage. If it be said that the spirit and purpose of reform is a phrase of doubtful meaning, it is certainly a phrase no more doubtful than the Amer-

ican spirit and the spirit of liberty. However doubtful it may be, it is certain that it does not mean a practical clean sweep of the service except that part included within the law. I ask any candid Republican how many Republican conventions this year, except the one in Massachusetts, have even remembered to mention reform, or how soon reform is likely to be achieved by the party at its present rate of progress? I ask him whether that party would ever have stayed the territorial devastations of slavery, have aroused the glorious enthusiasm of the American people, or have consumed our national sin in the fervid glow of patriotism, if it had been no more the party of liberty than it is of Civil-Service reform? At the close of the war for the Union, when the constitutional amendment abolishing slavery was adopted, Mr. Garrison, president of the American Antislavery Society, declared that its object was accomplished, and proposed that the society be dissolved. When the Republican party is in the act of making its pledge of Civil-Service reform, like its pledges of protection and of an election law, an actual performance, if I am then still president of the League, I shall gladly entertain a motion for its dissolution.

But if I admit that the country is divided practically into two parties, and that reform is not the present serious purpose of either of them, do I not concede a general and hopeless public indifference upon the subject? I answer that I concede only what is true of every reform at the beginning. "The first thing," said Alexander Hamilton, "in all great operations of such a government as ours is to secure the opinion of the

people." Reformers make opinion, and opinion makes parties. First the abolitionists, then the Republicans. Seven years ago the reform law was passed in a spasm of congressional terror from a reverse in the election. It did not represent mature public conviction, but it did show congressional consciousness of the drift of public opinion. This year the whole weight and character of the House refused to repeal the law, while its leader affirmed that the best sentiment of the country demanded reform. The House and the leader, indeed, were content with the affirmation, and did not try to satisfy the demand. But so far opinion has ripened. The reformer who would despond because no party has yet adopted reform, would despair of day because the sun does not rise at dawn.

The opinions of thoughtful men, the convictions of the fireside and of the private citizen, affect very slowly party action. The American feels that he can act effectively only with a party, and it is one of the chief evils of the spoils system that reckless abuse of patronage, the most lavish and acknowledged corruption, have made party despotism so absolute that the conscience and intelligence of the country are largely enslaved by unprincipled ignorance and insolent cunning. Even public men are shy of their own consciences lest they should obstruct their own advancement. Like Lord Melbourne they are afraid that "this damned morality will ruin everything." Honest and patriotic citizens wince at the methods by which often candidates are nominated, and hang their heads as they reluctantly vote for them, following ignoble leaders and strength-

ening public wrongs. Young men with the generous political ambition of their race burning to reach that lofty prize, the noble leadership of men, find to their dismay that the hard condition is bowing down to the hat of Gessler and losing their self-respect.

Civil-Service reform has the future, because it means crushing this machine, overthrowing this tyranny, recovering political independence, and emancipating American citizenship. It means parties that stand for conviction, for self-respect in the public service, for political morality and honest government. It is not yet established, for the same reason that slavery was not destroyed at once when its enormity was perceived and acknowledged. Like political corruption, slavery was intrenched in tradition, interest, ignorance, prejudice, possession, and only gradually did conviction ripen into purpose and private wish tower into indomitable public will. It was a dark shadow in which long and shamefully the country walked, its conscience wounded, its name disgraced. But the Union emerged into the clear light of liberty, and there is no American who would turn backward to the evil day. The same conscience, the same intelligence, that at last overthrew slavery, now proposes with the same undismayed persistence to stay political corruption; and every sign shows that, like our brothers of the last generation, we too are walking towards the light.

XVI

TEN YEARS OF REFORM

AN ADDRESS DELIVERED AT THE TENTH ANNUAL MEETING OF
THE NATIONAL CIVIL-SERVICE REFORM LEAGUE,
HELD AT BUFFALO, N. Y., SEPT. 29-30, 1891

TEN YEARS OF REFORM

WHEN the distinguished president of the Buffalo association invited the National League to hold its annual meeting in this city, we were sure, in accepting the invitation, not only of a generous and hospitable welcome, but we knew that we were coming to one of the holy cities of the reform faith. In the Revolutionary army every State watched with profound interest the conduct of its own soldiers, and those States to-day still cherish with pride and gratitude the story of the deeds of the New York line, the Massachusetts line, the Virginia line, all of them uniting in the final triumph of the whole American line. So, in our contest for reform—the contest for honest government by the people, and not by pensioned politicians—the Buffalo line has been always at the front, and to the conviction, the constancy, and the courage of that line, some of the noblest victories of the good cause are due. It is especially pleasant, therefore, that we should assemble in Buffalo for our tenth annual meeting, not only to renew the pledge of our fidelity to reform, but to exchange congratulations upon its achievements and progress.

The formation of the League was not, as sometimes

it has been pleasantly represented, a whim of amiable gentlemen who had a fancy for new fashions in politics, for spinning moonbeams and dipping water in a sieve. The spirit of reform is the instinct of order and progress, and is as old as government. It is the creative instinct moving upon the face of the waters. When the Republican platform of 1884, reaffirmed in 1888, spoke of the dangers to free institutions which lurk in the power of official patronage, it did not announce a new discovery; it merely stated a historical fact. In the famous declaration of 1688 which, after consultation with his English advisers, William III. issued upon embarking for England, he mentioned as the sixth among the thirteen particulars in which the laws of England had been set at naught by the dethroned dynasty, interference with elections, by turning out of employment all such as refused to vote as they were required; and in the Declaration of Rights, drawn by Lord Somers, with which the crown of England was offered to William and Mary, the seventh of the fourteen grievances mentioned was the same violation of the freedom of elections by patronage. So early and so prominently in constitutional history was the evil of patronage denounced as a great public wrong and peril.

A century later, the evil, instead of declining, had grown to such strength that when the most ignoble of British ministers sought by the corruption of patronage to restore the supremacy of the crown, Edmund Burke raised his great voice in protest. Macaulay, in a famous passage, describes the excesses and the terror of this abuse in England, and Webster draws a similar picture

of its ravages in this country. It was sixty years ago that he said, in arraigning the Jackson administration, "As far as I know there is no civilized country on earth in which, on a change of rulers, there is such an inquisition for spoils as we have witnessed in this free republic." The evil that both described was the baldest form of political corruption. It was making booty of the public service, and Marcy, who defended the outrage, justly described a service so seized as spoils. In one country the public patronage was a bribery fund to prop the crown; in the other, to help a party. In both it was organized corruption.

It is not surprising that the passionate ardor of party spirit, during a civil war which identified support of a party with the existence of the government, should have strengthened the tradition that extreme partisanship is the rightful condition of public employment; nor that the immense increase of such employment at the very time when this conviction was strongest, should have developed at once and flagrantly the evils of an exclusively partisan Civil Service. The exaltation of patriotic feeling during the war is an inspiring recollection. But the reaction that always follows such exaltation was not less signal, and corruption in our politics was never felt to be so general, so vast and penetrating, as during the last quarter of a century. The formation of the League, therefore, did not announce the discovery of a new abuse, but the conviction that an old one was at once so deeply extended and so threatening as to demand constant exposure and resolute reform. The story of the progress of ten years is the evidence of the

scope of that conviction and of the awakening of public opinion. There is no better place for the retrospect than this intrenched reform camp of Buffalo, over which the flags of victory fly, and in which drums are beating for further advances and the final triumph.

The National Civil-Service Reform League was organized at Newport, R. I., on the 11th of August, 1881. It was the result of a conference among members of Civil-Service reform associations that had spontaneously arisen in various parts of the country for the purpose of awakening public interest in the question, like the clubs of the Sons of Liberty among our fathers, and the antislavery societies among their children. The first act of the League was a resolution of hearty approval of the bill then pending in Congress, known as the Pendleton bill. Within less than two years afterward the Civil-Service law was passed in Congress by a vote in the Senate of 38 yeas to 5 nays, 33 senators being absent; and in the House, only a week later, by a vote of 155 yeas to 47 nays, 87 members not voting. In the House the bill was put upon its passage at once, the Speaker permitting only thirty minutes for debate. This swift enactment of righteous law was due, undoubtedly, to the panic of the party of administration, a panic which saw in the disastrous result of the recent election a demand of the country for honest politics; and it was due, also, to the exulting belief of the party of opposition that the law would essentially weaken the dominant party by reducing its patronage. The sudden and overwhelming vote was that of a Congress of which, probably, the members had very little individual knowl-

edge or conviction upon the subject. But the instinct in regard to intelligent public opinion was undoubtedly sure, and it is intelligent public opinion which always commands the future. It is fear of the same righteous sentiment, infinitely stronger than it was ten years ago, which to-day prevents the repeal of the reform law.

The passage of the law was the first great victory of the ten years of the reform movement. The second is the demonstration of the complete practicability of reform, attested by the heads of the largest offices of administration in the country. In the Treasury and Navy departments, the New York custom-house and post-office, and other important custom-houses and post-offices, without the least regard to the wishes or the wrath of that remarkable class of our fellow-citizens known as political bosses, it is conceded by officers, wholly beyond suspicion of party independence, that, in these chief branches of the public service, reform is perfectly practicable and the reformed system a great public benefit. And, although as yet these offices are by no means thoroughly reorganized upon reform principles, yet a quarter of the whole number of places in the public service to which the reformed methods apply are now included within those methods.

I say reformed methods, and not principles, because the principle of reform is applicable to the entire public service. When, under their oaths to discharge the duties of their offices to their best ability and with the divine aid, the President nominates and the Senate confirms a member of the Cabinet or a minister to England, the collector of a port or a postmaster, both the

President and the Senate are morally bound to select the fittest agents for those high public trusts, without regard to personal or party interests, and with reference solely to the public welfare. For the public service is the service of the people. Its offices are not the perquisites of the chief magistrate to whom the people commit the appointment of persons to fill them. Nor are they the property of the constitutional majority of the people which selects that magistrate. The majority which selects him is simply the agency by which the whole people act, and in executing the trust of appointment to office he is discharging a duty, not to a majority or to a party, but to the whole people; and in making the appointment he is morally bound to consider only qualification for the service, and not agreement with the opinion of the majority upon subjects that do not affect the duties of the office. Undoubtedly, our political system intends the action of the President to give effect to the will of the majority in legislation. He officially confirms the policy of the country, as expressed at the polls and declared by Congress, a policy which varies with varying opinion. But whatever the changing policy, the actual transaction of the public business under that policy is unchangeable. It demands only capacity, honesty, diligence, subordination.

This is the principle of the Constitution, which nowhere recognizes party, but everywhere contemplates the general welfare. It is the reasonable view of the nature of popular government. To admit the practical necessity of government by the majority is no more to legitimate despotism, than to concede the necessity of

government at all is to justify the caprice of a tyrant. The majority, like the President, in the discharge of its function, is the subject of moral obligation. They are both bound to consult the general welfare. If, for instance, a majority selects a President and a Congress to promote a policy of protection, the President must show that the duties of postmaster in New York necessarily affect the execution of that policy, in order, morally, to justify the removal of a perfectly efficient and satisfactory officer because of his views of that policy. If the postmaster's official duties are in no degree dependent upon his political views, his removal is as gross a public wrong, and as great a violation of public principle and policy, as Jackson's despotic dismissal of his Cabinet, because the wives of the secretaries would not visit a woman whom Jackson favored. Ten years ago this truth was very indistinctly perceived. To-day it is a very general conviction. The entire practicability of retaining, with the greatest benefit to the public service and with no injury whatever to any part of our political system, public officers of proved and satisfactory ability, is the second great achievement of reform within ten years.

Another happy advantage of the reform in this retrospect has been the character and efficiency of the National Civil-Service Commission. The prosperity of the reformed system depended almost wholly in the beginning upon the sincerity, the special knowledge, and the tenacity of those to whom was intrusted the duty of putting it into operation. To farm out the infant to an enemy would have been to smother it. It was easy for

President Arthur, after he had approved the bill, to paralyze reform by the appointment of commissioners who had no faith in the law and no heart in its proper enforcement. But he honestly placed at the head of the commission one of the most conspicuous, intelligent, and earnest friends of reform, Mr. Dorman B. Eaton, who had made a complete study upon the spot of the English system, and whose report is the most important contribution ever made to the literature of the subject; who had taken a leading part in the preparation of the reform law, and whose large familiarity with the question especially qualified him to organize the practical operation of the law. Cordially sustained by President Arthur in the novel and difficult work, Mr. Eaton and his colleagues laid the secure foundations upon which their successors have wrought in the same spirit.

President Cleveland, to whose personal interest while governor of New York the passage of the reform law in this State was chiefly due, had demonstrated the sincerity of his purpose by the appointment of a State Civil-Service commission, whose personal character and ability and unswerving fidelity to the cause were not only the earnest of the honest observance of the law, but commended the reason and the essential value of reform to the sound judgment of the State. In this good work Buffalo had a distinguished part in the person of one of her eminent citizens, of untiring devotion to the cause of reform, the Honorable Henry A. Richmond. As President, Mr. Cleveland enlarged the range of the classified service, revised and strengthened the rules of the commission, and sustained it in the strict en-

forcement of the law. President Harrison's selection of Civil-Service commissioners, also, was in strict conformity to the spirit of the platform upon which he was elected, and to his own professions and pledges as a candidate, and he also has extended somewhat the classified service.

The enforcement of the law through the commission, by the three Presidents who have served since its passage, has been honest and honorable. It is certain that none of them has struck at reform by intrusting the execution of the law to its enemies. They have not adopted, indeed, all the progressive recommendations of the commission, but political pressure for the practical betrayal of its work, or for the dismissal of any actively aggressive commissioner, has been manfully resisted by them. This is well done, for I can imagine a commissioner of so high a faith, so alert a mind, so aggressive a temperament, a public officer so impatient of humbug, lies, and hypocrisy, and with so shrewd an eye to see and so sharp a sting to avenge even senatorial violations and sneaking cabinet evasions of the law, that he must be as welcome to lofty official delinquents as a swarm of hornets to a crowd of Sunday-school boys on a high fence stealing fruit. I can imagine such senatorial and cabinet delinquents seeking by the basest appeal to personal interest and partisan servility to persuade a President to dismiss such a commissioner; and such a commissioner I can imagine sometimes in great doubt whether he should long retain his official head, but never in the least doubt that he should always retain his personal and official honor. Such firm and self-respecting public officers dignify office and re-

store the public service to universal respect and confidence.

I am speaking only of the fidelity of the three Presidents to the commission. The League has pronounced its judgment upon the conduct of each of the administrations, since the passage of the law, in regard to Civil-Service reform in general. It has tested them, as was its duty, by the principle and spirit of reform which apply to the entire exercise of the appointing power and to every branch of the government, and which have been especially approved by the platform of the present administration. The moral obligation of reform, as I have said, is not limited to the classified service. If its principles are sound, they are no less applicable to public offices employing forty-nine clerks than to those employing fifty; and an administration which observes the letter of the law in appointing fifty, but makes spoils of the forty-nine, is not a Civil-Service reform administration, as a man who gets drunk occasionally is not a temperate man.

It was doubtless in recognition of this truth, and to seem to conform to the highest standard, that the platform of the party of administration declared that "the spirit and purpose of reform should be observed in all executive appointments." It did not say that reform should apply to thirty thousand employés only of the one hundred and twenty thousand employés of the government, and that the rest should be treated as spoils; but that the spirit of reform, whatever the method of appointment, should be observed throughout the service. When, therefore, the assistant post-

master-general endeared himself to the chief administration agent of spoils in New York by cutting off official heads as fast as possible, he violated the express pledge of his party to respect the spirit of reform as much as if, being a soldier of the Union, he had broken the order of the march and disgraced his flag; and the President, by tolerating such riot of contempt for his own professions and for the promises of his party, made all such promises contemptible, and forfeited the claim of his administration to be considered a reform administration. Keeping one pledge does not condone breaking another. A party, like a man, is certainly not bound to make a promise. But if it promises and breaks its pledge, although a party is an elusive entity, a vote is not, and punishment is possible.

But while no administration can be fairly called a reform administration which, like the present and preceding administrations, makes spoils of the great multitude of offices not included within the law, it does not follow that reform does not advance under such administrations, nor that the three Presidents of whom I have spoken did not sustain the Civil-Service Commission in enforcing the law. It may not be thought high praise to say that an executive officer enforces the law which he is sworn to enforce, but there are different ways of enforcing a law. In the dark ages of the Fugitive-Slave law there was an officer in Boston who, being intrusted with a writ of arrest for a fugitive slave, used to go into the quarter of the city where the colored people congregated and announce that he believed the fugitive to be there, and that he should call for him

in the afternoon and expect to have him received at once without delay; "and it is surprising," he said, "that after such ample and definite notice, making everything easy for those who were criminally harboring the offender, I was never able to find a single fugitive." There is another method of enforcing the law, to be studied in the case of the Sunday liquor law in the city of New York. The farmer remarked of the Canada thistle and twitch-grass in his fields that the more he pulled them up the more they grew. It may be said in the same way that the more the Sunday liquor law is enforced in the present way the more liquor is sold on Sunday. Indeed, in the early days of Civil-Service reform, when it was not enforced by law, but by an executive order of Presidents Grant and Hayes, I knew an appointing officer who used the order as a short and easy way with politicians whom he did not care to gratify, and so secured leisure to distribute his patronage more satisfactorily. In our history of ten years it is a very great victory of reform that the National Civil-Service Commission has been an honest and efficient ministry of the law, and that Presidents Arthur, Cleveland, and Harrison have honestly supported it.

Still another victory is the fact that the system of party assessments on the Civil Service, and the kindred evil of the interference of office-holders in elections, are now so effectually stigmatized by public opinion that, although not abandoned, they have become disgraceful. The effort to justify the levying of blackmail by party committees of Congress or of local districts, and to

defend the moral coercion of public employées by irresponsible officers of the government, has disappeared in the contemptuous scorn of public common-sense. Undoubtedly the practice in some degree still continues, as the late disgraceful letter of the Ohio Republican State Executive Committee shows, but only as sneak-thieving and pocket-picking continue after laws are enacted to prevent them. The Supreme Court of the United States has affirmed the constitutionality of the laws prohibiting such assessments, and since the publicity given to the widespread and flagrant extortions of the notorious Hubbell congressional campaign committee of 1882 no senator or representative in Congress who is sensitive to public contempt would authorize the signature of his name to circulars demanding of post-office clerks at home and consular officers abroad, and even of women clerks who have no vote, the surrender of two per cent. and four per cent. of their salaries, to be spent in buying seven more mules, or in despatching soap to Indiana, or in marshalling floaters in blocks of five.

This steady change of public opinion is the happiest result of the ten years' agitation of reform. It is indeed only to a certain degree a change in practice, but the change of opinion greatly facilitates its practical completion. The reform rules embrace only about a quarter of the places in the registry of the service, and within that range the reform may be fairly said to be effected. But beyond that range the Civil Service is still liable to be treated as spoils. By the express direction of President Hayes, and by the known desire of

President Cleveland, the immediate control of caucuses and conventions by office-holders was greatly diminished during the last few years. But in the State convention of the administration party this year in New York, where in other years I have seen the collector of the port of New York, in person, openly directing the votes of his subordinates, the office-holding force again appeared, and the chief figure in the convention of the party whose national platform demands that the reform shall be extended to every branch of the service and its spirit observed in every appointment, was that chief State agent of spoils who gayly proclaims that public officers endear themselves to him, not by fidelity or efficiency, but by violation of their party pledges and by making the public service party plunder. The comedy of the autumn campaign is that the platform of a convention directed by the chief administration spoilsman in the State reaffirms the affection of the party for "thorough genuine Civil-Service reform."

But these are only incidents of a battle which is still raging. Here and there the line is pushed back and broken. Here there is an advantage, there a reverse, although the general advance is plain. The appointment of the late collector of New York was a distinct violation of the executive pledge that "the spirit and purpose of reform should be observed in all executive appointments." But the intimation that the collector contemplated a course which no law forbids, and which in the time of his predecessor Swartwout was held to be entirely legitimate, nevertheless provoked a protest which was not limited to party. I know no reason in

his character or career to suppose that the late collector, whose personal good name, even amid the rancor of partisan controversy, has been unsoiled, would have wantonly blackened it by prostituting a public trust to promote a personal or party interest, or would have deliberately sophisticated himself by the pretence that honest and efficient public agents might be summarily removed to make place for other equally honest and efficient agents, not because the public service would be promoted by the change, but because it would advance the political interest of the officer to whose official act the collector owed his power to do the service. But the significant fact is, that the mere suggestion was resented by the public sense of official decency and personal honor. Whatever reaction there may be at any point, the moral progress of reform is signally illustrated by the undoubted fact that it is becoming personally discreditable to a public officer to administer his office as an agency of spoils, and a serious injury to a party when its conspicuous leaders are no longer statesmen but bosses. To say that this is not the universal opinion is to say nothing. It is an opinion general enough and strong enough to make laws and regulations, to secure their faithful execution, and constantly to extend the range of their operation.

This revolution in public opinion is the result of the agitation of Civil-Service reform. In a rapid glance we have seen the general progress in such results during the ten years of our organization. But the annual meeting invites a retrospect of the year, and if

the partisan ravage of the Civil Service beyond the range of the rules were the only indication of the situation, it might be thought a year of little promise. But the really significant facts are of quite another kind. Let me recall some of them, although I can but mention them.

The good work of the year began in Buffalo. Just after our last annual meeting the court of appeals decided the case of Rogers against the city of Buffalo, to test the validity of certain appointments made in total disregard of the Civil-Service law of the State. The court approved the constitutionality of the law, forbade payment of persons illegally appointed, and declared the city bound by the action of the mayor in employing and paying persons to carry out the law, although the council had refused to provide for the payment. The court, in announcing its opinion, expressed, with the utmost force and dignity, its approval of the principles of reform, saying that, under the spoils system, "the chief reason for an appointment was the political work done by the applicant, and his supposed power to do more, and thus an appointment to an office in the civil list was regarded as a fit and proper reward for purely political and partisan service. No one can believe that such a system was calculated to produce a service fit for the only purpose for which offices are created, viz., the discharge of duties necessary to be performed in order that the public business may be properly and efficiently transacted. The continuous and systematic filling of all the offices of a great and industrious nation by such means became conclusive

proof in the minds of many intelligent and influential men that the nation itself had not in such matters emerged from the semi-barbarous state, and that it had failed to obtain the full benefits arising from an advanced and refined civilization." The court added, "The fact must be fully recognized that the duties connected with the vast majority of offices in both the Federal and State governments are in no sense political, and that a proper performance of those duties would give no one the least idea whether the incumbent of the office were a member of one political party or another."

The reform association of Buffalo declares that the public service of the city is at last practically taken by law out of the spoils system; and no intelligent man supposes that it is any less vigorous, honest, efficient, and satisfactory for that reason, or doubts that the problem of city government, one of the most difficult and important with which we have to deal, would be greatly simplified if what the association says of Buffalo could be said of every other city in the country.

The year has given us also in the city of New York the valuable testimony of private citizens in the recommendation of the very able committee appointed by Mayor Grant to consider the most efficient and most economical system for the conduct of the street-cleaning department in that city. The subject, like every subject which involves the honest expenditure of public money in that community, is extremely perplexing. But the public spirit of the eminent citizens who served

as a committee led them to a careful and detailed investigation, and in their report they state that the efficiency of the system proposed by them will depend upon bringing the whole force of the department within the control of the Civil-Service regulations. That this is entirely feasible, the experience of Boston, in its public-labor department, has demonstrated, and that the result in New York would be of the highest advantage and most satisfactory to all good citizens, is unquestionable.

At the beginning of the present year the National Civil-Service Commission made known the fact that it had succeeded in filling the quotas of appointments under the rules among the several States. The spoils system has obtained so firm a hold on the public mind that in parts of the country, especially in the Southern States, there was a total disbelief in the honesty of the reformed system, which was assumed to be only a scheme to make partisan appointments more general and certain. But a perfectly frank conference between the commissioners and members of Congress and representatives of the press from the Southern States resulted in the conviction, upon the part of the representatives of the press and the people, that the law was a reasonable law, honestly administered by the commission; and consequently, at examinations to fill additional places in the departments at Washington, candidates appeared without influence and without regard to party sympathy; the fair proportion among the States was established; the persons appointed were, in general, natives of the States in which they were examined, and,

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"in the overwhelming majority of cases, these native-born Southern whites were Democrats." The great advantage gained was not only the proper filling of the quota, but the practical demonstration to partisan members of Congress, to the party press, and to utterly incredulous party adherents in the States, that the Civil-Service law is not only just in itself, but is honestly enforced by a party administration. The proof that such a course is possible is undoubtedly the most valuable lesson in national politics that the communities in which it was demonstrated have ever received; and Commissioner Roosevelt, in his interesting account of this demonstration, says, with a satisfaction that every friend of reform must share, "In the departmental service at Washington we have succeeded in putting nearly a complete stop to removals for political purposes."

In January of this year the Cambridge Civil-Service Reform Association urged upon the President the extension of the reformed system to the Indian service. The same request was made by the Board of Indian Commissioners, of which President Gates of Amherst College is chairman. The commissioners stated that they desired to secure permanence in the service for the greater part of the officers and employés. In April the President directed the extension of the rules to physicians at the Indian agencies, and to superintendents, assistant superintendents, teachers, and matrons of Indian schools, and the rules and regulations prepared by the commission for enforcing these executive directions will go into effect on the first of October. In February

the National Association of Public-school Superintendents at the annual meeting in Philadelphia commended the principles of reform as applicable to the selection of teachers in the public schools, and recommended the passage of laws requiring from all candidates certificates of qualification from the State authorities. In the State of New York, at the suggestion of the Superintendent of Public Instruction, the school commissioners throughout the State have adopted a system of uniform simultaneous examinations for teachers upon conditions essentially competitive. Every argument for the selection of the sixty-three thousand postmasters in the United States by some better test than personal partiality and political "pulls" is irresistible when applied to the selection of the three hundred and fifty thousand public-school teachers in the country. We boast that the public schools make American citizens. But the teacher is the school, and if it be wise to ascertain the qualification of a street-cleaner, or a physician at an Indian agency, or a custom-house clerk, for the proper discharge of his duty, it cannot be unwise to test the fitness of public-school teachers, and to appoint only those who are ascertained to be fittest.

The usual attempt was made in Congress by members of both parties to starve and paralyze the Civil-Service Commission. But it was briskly and ably resisted also by members of both parties. As usual, the weight of ability and influence and character was with the friends of reform, and not with the spoilsmen. In the House the attack upon the law was defeated, and the moderate increase of appropriation asked by the commission

was granted. But a difference arose between the two Houses, and the controversy was adjusted by the passage of the old appropriation. The House Committee on the Civil-Service Law made an investigation of its workings, and reported that the public service had been greatly benefited by it, and that the law, upon the whole, had been well executed. The conditional term of approval was doubtless due to the fact that an administration of another party had intervened between the passage of the law and the present administration, and it would have been politically unwise to imply that Messrs. Vilas and Dickinson, for instance, had showed the same zeal for honest reform in the post-office which have distinguished Messrs. Wanamaker and Clarkson, although an impartial observer might have decided that they were entitled to precisely the same praise. The committee proposed a bill for the reorganization of the commission, making the regulations still more stringent, and declaring that "any law which revives influence, political or personal, in the public service of the country, should be vehemently opposed, and that no system other than that in vogue at the present time can furnish a safeguard against this spirit of favoritism." The bill, which was reported, was not considered, and if it should be said that it would not have been reported had it been supposed that it would be considered or could be passed, I should reply that the members who reported it were honest friends of reform, and that the bill itself was evidently the result of knowledge and a sincere desire to remedy what were held to be defects in the existing law.

Eight years' experience of the workings of the law has demonstrated the necessity of reorganizing the methods of promotion in the service by introducing competition, as contemplated by the law and established for a time under the Grant administration. In January, 1887, compulsory competition, with the certification of the whole eligible list, was introduced in certain offices. But, upon the recommendation of the commission, the President has recently authorized open voluntary competition for promotion within the classified service, under such regulations as the commission may provide. These regulations are now under consideration and will be applied as soon as possible, and the measure may be regarded justly as the most important step yet taken by the President in the interest of reform. Meanwhile, it is a striking illustration of the practical wisdom of the reformed system that promotion by voluntary competition has been lately introduced into the department of the service which has been most prostituted to party and personal influence, the post-office. At the first examination the postmaster-general assured the clerks, as his order expressly provides, that hereafter advancement would depend solely upon the results of the examinations and the official records, and no longer upon personal favor or party influence. "God works in a mysterious way His wonders to perform."

Before this reform was instituted in the post-office department the Legislature of Massachusetts last winter requested the senators and representatives of the State in Congress to urge legislation which would secure reform in the Charlestown navy-yard and the other navy-

yards of the United States. If, however, those senators and representatives urged such legislation, Congress was obdurate. But in April the Secretary of the Navy, in a luminous, courageous, and decisive speech at Boston, announced his intention to exclude politics from the labor system of the navy-yards. He said that the degradation of that labor into party spoils was demoralizing to any party that resorted to it, destructive to the government service, and debauching to national and local politics. "It is an ulcer on the naval administration system," he said, "and I propose to cut it out." He proceeded to state clearly his scheme, for which he said the rules were preparing in detail. The three cardinal points of the scheme were free and open competition, employment on proved merit alone, and the absolute publicity of every detail. This was the three-edged blade for the secretary's invigorating reform surgery. "I do not propose to stop," he said, "until the principle of efficiency and worth is the only test of navy-yard employment; . . . so that it will remove not only all machine politics from the navy-yard, but all suspicion of machine politics." This speech, showing the secretary's clear comprehension of the scope and method of reform, and supported by his character, was felt at once not to be a mere flourish of political rhetoric. The secretary's rules affecting the higher positions were applied in May, and those affecting labor on the first of September, and his action is by far the most important event in the progress of reform under this administration.

"It is an ulcer, and I mean to cut it out," said the secretary, and he is cutting it out. With all the ardor

of the Irishman we may certainly wish him "more power to your elbow," until the cutting is complete. The only regret that can be expressed in view of this admirable act, as of the promotions in the post-office department, is, that the reform in the navy-yard has not been brought under the direction of the National Commission, as in other branches of the service. While General Tracy is Secretary of the Navy there is no doubt that the ulcer of the spoils will not thrive in the navy-yards. But when he retires, will he have extirpated its roots? His scheme is admirable and effective, and it is based upon sound principles of reform. But it is only his official regulation. It is not yet law, and with his successor the devils whom the secretary has expelled may return. If the rules of the Civil Service are to be applied, as they certainly should be, to the navy-yards, is there any good reason why they should not be applied as in all other departments, and as they are applied in the clerical branch of the navy department? It is a reform too vital to be left to the changing sympathies of successive secretaries, and its inception and execution are so important as to entitle Secretary Tracy to the gratitude of the country, while they write his name high on the roll of practical reformers.

Upon a survey even so general as this of the progress of Civil-Service reform within the ten years of the existence of this League, it is idle to deny the prodigious advance which it has made, both in public opinion and in practical application. The evil is not new nor is the League first in calling public attention to it. Escape from the vicious party despotism of the old Council of

Appointment in this State was one of the chief reasons for the adoption of the Constitution of 1821. Congress has echoed with loud debate upon the subject, with the angry altercations of party chiefs, and the terrible array of facts which is the most powerful plea of every political reform. Investigations, reports, executive orders, have followed each other. But they have been the temporary weapons of party warfare, dropped when they had served their purpose, not the persistent pressure of increasing conviction; hot gusts that blew off green fruit, not the change of temperature that ripens the harvest. The League has represented, not party strategy to carry an election, but public conviction to reform an acknowledged evil of administration. If it had done nothing more, its service would be great in having forced the spoils system to its defence. The political pirates are at last driven to show the black flag and defiantly to declare that at every election the whole public service in every detail, with all its emoluments and opportunities, shall be made the prize of a vast struggle of greed and intrigue, of bribery and dishonesty of every kind, all inflamed to fury by party spirit. We demand that all public business which is not political shall be kept free from politics, and shall be transacted upon the simple principles which are approved by universal private experience. The masters of Tammany Hall, with the dealers in mules, soap, and blocks of floaters, who hold that in politics fraud is not fraudulent, nor dishonesty dishonest, declare that everywhere, except in Sancho Panza's Barataria, No Man's Land, and the Isle of Fools, the public service is spoils and belongs to the

victors. But Washington warned us in advance against these voices. Webster said that whoever controlled a man's means of living controlled his will. Clay said that Marcy's doctrine would end in despotism. Lincoln, hounded by the remorseless demand for spoils, said that the evil would destroy the government. Those who would use the patronage of public employment as the vast bribery fund of a party are on one side. Washington and Lincoln, patriotism and good sense, the wisdom of age, the instinct of youth, are on the other. Let all good men choose their part. We have chosen ours.

XVII

PARTY AND PATRONAGE

AN ADDRESS PREPARED * FOR THE ELEVENTH ANNUAL MEETING
OF THE NATIONAL CIVIL-SERVICE REFORM
LEAGUE, IN BALTIMORE, APRIL 28, 1892

* The condition of Mr. Curtis's health prevented the delivery of this address. It was read at the meeting by the Secretary.

PARTY AND PATRONAGE

IF Charles Lamb had been an American by birth, as he is certainly an American by affectionate literary adoption, he would have added probably to his list of Popular Fallacies the pleasing delusion that a republic is a self-adjusting system of liberty and equal rights, and that to upset a throne is to set up justice. When Voltaire was insulted by the London mob for being a Frenchman—an offence which John Bright said is forgiven by John Bull only with the greatest reluctance—the Frenchman turned upon the steps as he entered his door, and, with exquisite sarcasm, appealed to the nobleness of the English character, and complimented the mob upon their institutions and love of liberty. Voltaire knew that in England the surest appeal was to the national self-complacency, a virtue which is not wanting to the English-speaking race wherever it is found.

But although we may justly claim that a republic, upon the whole, secures fairer play for every man than any other government, it is not necessary, as in a disputed election, to claim everything. However it may be in Maryland, in New York the establishment of a

republic by our fathers, while it has secured a fairer general chance for all men, has not yet developed universal political virtue or absolutely honest government. Like all excellent human devices, the administration of government must be constantly and carefully repaired and improved. As a locomotive upon a railroad must be watched with incessant care, and be scrupulously oiled and burnished, in order effectively to do its work; as even a chronometer must be regularly wound, if it is to report accurately the time of day; as a slight derangement of the machinery brings the huge, humming factory to silence, so it is a fond delusion that popular forms of government alone will secure honest and equitable administration.

In the nineteenth year of our constitutional union Fulton essayed with steam to force his little vessel, the *Clermont*, up the Hudson River to Albany. It was an experiment in mechanics, but no more an experiment than was the republic in politics. Incessant care, comprehensive observation, intelligence, discretion, shrewd modification of details, perpetual deference to the hints of experience, a thoughtful care which has not yet ceased—all these have developed Fulton's struggling, doubtful *Clermont*, pushing its way upon a smooth stream to Albany in thirty-two hours, into the magnificent marine palace that crosses the turbulent ocean in five times thirty-two hours. Much more was necessary to this marvellous development than the invention of the steam-engine and the application of steam to navigation. Very much more is necessary to honest government, to the security of liberty, the equality of rights,

and the general welfare, than a republican form of government. Among the Zulus to-day a republic would hardly prosper. In Bourbonized France a hundred years ago a republic was a saturnalia of wrong and blood. Wendell Phillips, seeing only the cause and the result, the inhuman tyranny that produced the French revolution, and the relaxed grasp of despotism that followed it, called it "the most unstained and wholly perfect blessing Europe has had in modern times." However that may be from the orator's point of view, the French republic of 1793, the fierce outbreak of a people imbruted by unspeakable oppression, was itself an awful revenge in kind. Even great as is the progress, and marvellous the recuperative force of the French people, and fair their future prospect, their republic is built upon volcanic ground, and may yet reel with earthquake shocks.

Mont Blanc, the sovereign Alp, has not a charm to stay the morning star, and the American republic, greatest and best of all republics, has no more power than had the Roman republic by its name alone to secure freedom and wise progress. It is but an instrument, and its beneficent efficiency depends upon the intelligence, character, and conscience of the people who wield it, and upon the promptitude and skill with which it is kept in repair and adjusted to the changing conditions of its operation. The demand of reform in methods of administration of government, therefore, is not revolutionary nor quixotic nor surprising. It is the sign of a healthy and progressive political life. It is not exceptional, but, on the contrary, it is familiar in every kind

of human activity. It is the impulse of the instinct which constantly seeks something better,

“The desire of the moth for the star,
Of the night for the morrow”;

the instinct which stimulates medical science to the discovery of more certain relief for the physical pain and suffering of mankind; which produces endless mechanical inventions, increases the knowledge of occult forces and their practical application to human convenience, arrests the vast and needless waste of vitality that lesser knowledge cannot stay; which lightens labor and lengthens life by greater command of time and space.

Why should this beneficent inspiration be lost to the sphere of politics, which is not a less universal concern than all these? When human ingenuity is busily improving sewing-machines and typewriters, steam-engines, telephones, and electric lights, and every mechanical and industrial process, why should methods of administration and government not be supposed susceptible of improvement? As the “Arabian Nights” and the old fairy stories are but delightful prophecies of our modern world of larger intelligence and shrewder wit, where we are wafted from place to place upon an enchanted carpet and in a chair of magic, where Ispahan converses with Istamboul, and a drop of elixir deadens pain, so Plato’s Republic, and Sir Thomas More’s Utopia, and Harrington’s Oceana, and all the ideal commonwealths of the poets and philosophers, are but vague forecasts of States not further from ours than ours from those of early history.

Yet the world is not a garden of the Hesperides, where we have only to raise our hands and pluck the golden fruit of progress. Progress, on the contrary, is everywhere the Golden Fleece: to be won only by hard contention, by taming fire-breathing bulls of stupidity, by slaying dragons of malignity, and by victoriously withstanding hosts of slanderers and liars sprung from the teeth of venomous serpents. If the application of the humane discoveries of science and the advance of the comfort and convenience of modern civilization have been resisted as stoutly as if they were a pestilence or a consuming cloud of locusts, it is not surprising that every political reform is ridiculed as visionary and denounced as incendiary. This has been so universally the welcome of improvement in every department of human interest that it may be said almost that the presumption is in favor of every proposed reform, and that reputed quacks and tiresome fanatics are probably new Columbuses and Galileos and Jenners, the latest benefactors of mankind. It is this jealous distrust of progress which led so sagacious a statesman as Lord Shelburne to say, "The moment the independence of America is agreed to by our government the sun of Great Britain is set, and we shall no longer be a powerful or respectable people"; and even Richard Henry Lee called the framers of the American Constitution "visionary young men." These gentlemen were very positive, but it was only their rhetorical way of saying "here is a change," and change to certain conservative temperaments means only mischief. But the challenge of conservatism to the spirit of progress has this advan-

tage, that it compels every change to prove its right by showing its reason.

The uncertain fortune of reform in politics, fluctuating between sudden success and long delay, is well explained by a remark of Fisher Ames, that "the only constant agents in political affairs are the passions of men"; and by what Gardiner, the latest and masterly historian of the great civil war in England, says of the Presbyterianism of Prynne, that it enlisted on the side of the average intellect of the day, "which looked with suspicion on ideas not yet stamped with the mint-mark of custom; the feeling, which unconsciously exists in the majority of mankind, of repugnance against all who aim at higher thinking or purer living than is deemed sufficient by their contemporaries, and who usually, in the opinion of their contemporaries, contrive to miss their aim." But existing order consists always of ideas which are stamped with the mint-mark of custom, and the hope of progress, therefore, lies in the ideas which are not yet authenticated at the mint. The Bourbon despotism in France, the Stuart abuses in England, the supremacy of the crown in colonial America, had the mint-mark of custom. Had no other coinage been demanded, these coined abuses would have remained the sole currency. Political progress, and with it larger liberty and higher general welfare, are secured only by bringing fresh bullion to be stamped with the mint-mark. In the ever-spreading tree of political life it is distrust of the established order, not acquiescence in it, which is the irritation of the stem that shows the spot where the new growth will spring.

Progress in the legal security of liberty has been always effected by regulating the executive power which is the final force in all politically organized communities. The Great Charter, the Grand Remonstrance, the Petition of Right in England, were all declarations against the arbitrary exercise of executive power, and, steadily diminished by jealous popular care, this power gradually became mainly the arbitrary control of patronage. For this arbitrary control the English Tory had always a plausible plea, and in the middle of the last century, when England had been freshly reminded by Culloden and the romantic enthusiasm for Prince Charles that the Hanoverian throne was not yet secure, David Hume, in his essay upon the "Independency of Parliaments," made a better argument for patronage under the British Constitution than could ever be made for it under ours. It was essential, he said, to the balance of the Constitution. The House of Commons did not assert its supremacy over the other branches of the government, only because it did not think it for its interest to do so. The patronage of the crown, he said, with the aid of honest members, alone maintained the royal power. That is to say, the king bought votes enough to supplement the votes of his friends. "We may call this influence," he says—for Hume was an honest man—"by the invidious appellations of corruption and dependence; but some degree and some kind of it are inseparable from the very nature of the Constitution, and necessary to the preservation of our mixed government."

Mr. Lecky points out the coincidence of Hume's view

with that of Paley, who attributes the loss of the American colonies to the want of royal patronage extensive enough, as he says, "to counteract that restless, arrogating spirit which in popular assemblies, when left to itself, will never brook an authority that checks and interferes with its own." This is the tribute of the moral philosopher to the necessity and reasonableness of the spoils system—a tribute which is echoed in the political gospel according to Tammany Hall, as recently set forth under the name of the eminent political moralist, Mr. Richard Croker, in the *North American Review*; a plea, I may add, which was promptly and thoroughly exposed by our friend and associate, Mr. Dorman B. Eaton.

Our fathers were largely children of the Englishmen who with great gyves of reform bound the royal prerogative; and the American Declaration of Independence, in legitimate succession from Magna Charta and the Grand Remonstrance, was an arraignment of the abuse of executive power. Our colonial politics were in large part a contest over patronage between the royal governors and the colonial legislatures. The destruction of the statue of George III. in the Bowling Green at New York, at the beginning of the Revolution, was symbolic of the instinctive distrust of executive power by the colonists. The crown was the emblem of executive oppression, and when the republic began, in the formation of the first State constitutions during the Revolution, the chief distinction of those constitutions was the attempted restraint of that power by distribution between the Legislature or the Council and the governor.

With the same jealousy the framers of the Constitution, in establishing the national government, limited the executive power of appointment. They provided that only with the advice and consent of the Senate should the President appoint certain specified officers, while Congress should provide at its pleasure for the appointment of others. The Constitution thus reserves to the Senate a practical veto upon the appointing power, and to Congress the designation of the methods of appointment of all inferior officers.

The people had assumed their own government, but, as they could not administer it directly, it was administered by agents selected by party, or the organized majority; but under such restrictions as the whole body of voters, or the people, might impose. The crown had vanished. There was no king or permanent executive. There were a President and Legislature elected by the people for limited terms. But the practical agency of the government was party, and, whoever might be elected President, party remained in the administration as permanent as a king, and with the same control of the executive power. But the executive power, whether in the hands of a king or a party, does not change its nature. It seeks its own aggrandizement and cannot safely be trusted. Buckle says that no man is wise enough and strong enough to be vested with absolute authority. It fires his brain and maddens him. But this which is true of an individual is not less true of an aggregate of individuals or a party. A party or a majority needs watching as much as a king. Indeed, that such distrust is the safeguard of democracy against des-

potism is a truth as old as Demosthenes. Like a sleuth-hound distrust must follow executive power, however it may double and whatever form it may assume. It is as much the safeguard of popular right against the will of a party as against the prerogative of a king. Distrust is, in fact, the instinct of enlightened political sagacity, which sees that the peril of popular institutions lies in the abuse of the forms of popular government. The great commonplace of our political speech, "eternal vigilance is the price of liberty," is fundamentally true. It is a scripture essential to political salvation. The demand for Civil-Service reform is the cry of that eternal vigilance for still further restriction by the people of the delegated executive power.

Civil-Service reform, therefore, is but another successive step in the development of liberty under law. It is not eccentric nor revolutionary. It is a logical measure of political progress. In the light of larger experience, and adjusted to the exigencies of a republic in the nineteenth century instead of a monarchy in the thirteenth and seventeenth centuries, in the spirit of the wise jealousy of the Constitution, in the interest of free institutions and of honest government, it proposes to restrict still further the executive power as exercised by party. It is a measure based upon the observation of a century, during which government by party has developed conditions and tendencies and perils which could not have been foreseen in detail, although, at the beginning of party government under the Constitution, Washington said of party spirit, "it exists under different shapes in all governments, more or less stifled, controlled, or re-

pressed; but in those of popular form it is seen in its greatest rankness and is truly their worst enemy."

The experience of a century has justified Washington's words. The superstition of divine right has passed from a king to a party, and the old fiction of the law in monarchy that the king can do no wrong has become the practical faith of great multitudes in this republic in regard to party. Armed with the arbitrary power of patronage, party overbears the free expression of the popular will and intrenches itself in illicit power. It makes the whole Civil Service a drilled and disciplined army, whose living depends upon carrying elections at any cost for the party which controls it. Patronage has but to capture the local primary meeting, and it commands the whole party organization. Every member of the party must submit or renounce his party allegiance, and with it the gratification of his political ambition; and such is the malign force of party spirit that, in what seems to him a desperate alternative, he often supports men whom he distrusts and methods which he despises, lest his party should be defeated. He takes practically the position that party loyalty requires him to support one party with bad measures and unfit candidates, rather than risk the success of another party with good measures and suitable men.

This devotion of party, not to the ends for which it exists, but to the spoils that accompany success at the polls, has become so absolute that it has produced an evil greater than any which party proposes to remedy. In order to secure and maintain party power, a corruption has been introduced which involves not only

the whole system of our politics, but the character of the people. It is a corruption so general and so familiar that an amendment to the Constitution is proposed in Congress, which contemplates the election of senators of the United States by the popular vote of the State instead of the vote of the Legislature; and the argument gravely urged for the amendment is, that it is harder to corrupt the whole people than to buy a legislature. Familiar incidents of the last presidential campaign—the collection of an immense sum of money by party managers, to be spent without audit or accounting of any kind; and the general public conviction that it was a simple corruption fund, not only spent for illicit purposes, but by which high office was bought; and the equally general conviction that if the other party could have procured the same sum of money it would have done the same thing—show how widespread the evil has become.

A New York morning paper of the highest character recently published the remark of a conspicuous politician, whose name was given, that “two-fifths of the Democratic voters of the State are represented in conventions by delegates selected by the heads of the various departments in New York and King’s County,” that is to say, in the cities of New York and Brooklyn. An evening paper of the same day, speaking of the Republican nomination for the governorship in Rhode Island, said: “It is notorious in the State that every Republican candidate must pay for this honor, and the price has heretofore ranged from twenty thousand to forty thousand dollars. . . . It has frequently hap-

pened that a second assessment has been necessary, when the election by the people has failed and the choice has fallen upon the Legislature." These statements are not disputed and they are not doubted. They are read languidly by many readers as illustrations of the rottenness of politics. They are read with alarm by many others as signs of a taint that will rot the whole system if not extirpated. The wrong is not peculiar to any party, for its source is the party spirit which all parties stimulate and Washington foresaw. The Pot indeed solemnly rebukes the Kettle; but when traders in mules denounce traders in blocks of five for political corruption, we instinctively recall the legendary Roman augurs and the stage direction in "Robert the Devil"—"infernal laughter."

This monstrous development of the party system in a republic, while it might have been vaguely anticipated, could not have been definitely foreseen. The American who had served under Washington in the field and had voted for him as President, although he may have seen in the malice of the opposition newspapers the adder's tongue of faction, would have smiled to hear the suggestion that, in republican America, the party proscriptions and excesses of Athens and Rome and Florence, without the slaughter, might be revived and repeated. Still less would it have occurred to him that a Civil Service—which a century ago in the whole Union included only two hundred and nine postmasters and a handful of other officers, whose tenure was their fidelity and efficiency—would suddenly rise, like the Afrite from the casket in the Arabian tale, into a gigantic and towering

form, but still the supple slave of reckless party power. The increase of population, the vast alien addition to the native stock, the universal extension of male adult suffrage, the growth of great cities of heterogeneous citizenship, the opening of enormous opportunities for contracts and political money-making, the vast consolidations of capital not hesitating to attempt for their purposes the bribery of legislatures, the paralysis of the national conscience for a generation in the defence, by a great political party, of a huge moral wrong, and finally a long and relentless civil war—all these were yet to come, and their relation to an enormous increase of public patronage and their influence upon the party system could not be foretold.

These results, however, are now evident. What our fathers could not guess, we can see. Party—which is properly simply the organization of citizens who agree in their views of public policy, to secure the enactment of their views in law—has become what is well called a machine, which controls the political action of millions of citizens who vote for candidates that the machine selects, and for measures which the machine dictates or approves. Servility to party takes the place of individual independence of action. So completely does it consume political manhood that, like men suddenly hurried from their warm beds into the night air, shivering and chattering in the cold, even intelligent citizens, who have protested against their party machine as fraudulent and false, and an organized misrepresentation of the party conviction and will, declare that, if their protest against the power of fraud and corruption does not avail, and

the party commands them to yield, they will bow the head and bend the knee in loyalty to fraud and corruption. The despotism of the machine is so absolute, and the triumph of the party so supersedes the reason and purpose of the party, that we have now reached a point in our political development when, upon the most vital and pressing public questions, parties do not even know their own opinions, and factions of the same party wrangle fiercely to determine by a majority what the party thinks and proposes. Meanwhile so completely has the conception of party, as merely a convenient but clumsy agency to promote certain public objects, disappeared, that one of the chief journals of the country recently remarked, with entire gravity, that it found "no fault with conscientious independence in politics;" which was like announcing with lofty forbearance that, as a philosophic moralist, it found no fault with truth-telling or honest dealing.

The recent vivid and detailed picture of political corruption in Maryland, which we owe to the distinguished president of the Maryland Civil-Service Reform Association, one of the earliest, most steadfast, and most effective advocates of reform; and its companion piece, depicting political corruption in Pennsylvania, by that devoted and undaunted friend of political reform, Mr. Herbert Welsh, whom ravaged Indians bless, show how completely in two great States the two great parties of the country, by base and dishonest methods, pervert their power from promoting the public benefit to fostering their own aggrandizement. I am not forgetting Burke's apothegm that we cannot draw an indictment

against a nation. I am not arraigning the individual citizens who compose the great parties as guilty of bribery or corruption. As individuals they deprecate and denounce them. But as partisans they sustain the bribers and corrupters. The drivers of the machine are necessarily few, but they are also the drivers of the party, and substantially they are the party. The individual partisan, forced to excuse himself, can only say that it is bad business, but that his party machine is no worse than the other. This was the plea of Thaddeus Stevens, the leader of his party in the House of Representatives, who is said to have asked, in a contested-election case, "Which is *our* damned rascal?" in order that he might vote for the right wrong. So far as the mere fact is concerned, however, the plea that the other machine is equally bad is undoubtedly sound. When Theodore Parker delivered his tremendous discourse on Daniel Webster, to which Rufus Choate's eulogy at Dartmouth College was the magnificent but pathetically futile reply, a fervent admirer of Webster declared, energetically, that Parker's discourse was the most outrageous deliverance he had ever heard; "and the worst of it is," he said, "that it is true." When the supporter of one party machine defends himself with the rueful apology that the other party machine is quite as bad, the worst of it is that it is true.

If I am telling the truth, it is plain that, when the control of patronage passed from royal prerogative to popular party, the spirit and purpose of its exercise did not substantially change. A hundred years ago, in England, the king bought votes in Parliament; to-day, in

America, party buys votes at the polls. The party system has subjected the citizen to the machine, and its first great resource is the bribery fund of patronage. It is the skilful annual expenditure of sixty millions of public money in the national arena, and by that of thirty millions in the municipal contests of New York City alone, not by educational arguments and appeals to reason, that the machine or the managers of parties attempt to secure or maintain their ascendancy. Tammany Hall defends itself as Hume defended the king. The plea of both is the same. The king must maintain the crown against the parliament, and he can do it only by corruption, said Hume. Party is necessary, says Tammany, but party organization can be made effective only by workers. Workers must be paid, and the patronage of the government, that is to say, the emolument of place, is the natural fund for such payment. This is the simple plea of the spoils system. It places every party on a wholly venal basis. Under its control party is no longer a combination of citizens for public ends; it is a trading company seeking the advantage of the leading partners. It is the selfishness of the individual, not the public spirit of the citizen, upon which it rests. And this view has various consequences.

If public money may be properly given as a private reward, the givers may decide upon what terms it shall be given. This is frankly asserted by Tammany, and in this it speaks for every party machine. It asks plainly, Why should not a judge who is elected by us for a term of years, with a salary of fifteen thousand dollars

a year, and who except for us could not be elected, pay to Tammany the very moderate commission of ten thousand dollars for his election, which Tammany guarantees? This is the doctrine of political assessments in the custom-house and post-office and every branch of the service. It is rent paid for the place. It is tribute to the party for the personal favor of appointment. "Why should not a man pay for benefits? Why should not those who are elected to well-salaried offices," asks Tammany, "pay the expenses of the election? Who are so much interested in the election as its beneficiaries?" it inquires, and it asks candidly, because the truth that the people ordain elections for their own benefit, and not for the private advantage of the candidates, Tammany not only does not believe, but when stated does not comprehend. And this view of Tammany is the view not only of each party machine, but of a large majority of both parties. Tammany is called a gang of public robbers without political principles, an obscene fungus fattening upon the political corruption engendered by a great city. But it is the natural spawn of the spoils system. It is the mirror in which party as now organized among us is reflected, and when party contemplates the image of that diamonded savage with his scalping-knife of spoils, it may well recall the title of Rossetti's picture, "How They Met Themselves."

This sophistry of the spoils extends itself readily beyond elections and appointments and assessments in the Civil Service, not only into the whole political system, but into every department of the national life. It is undoubtedly true that, whether there were a spoils

system or not, great interests of all kinds, in the pursuit of their own advantage, would always attempt to bribe legislatures, and that public officers and voters would still be bought at the polls. But it is not true that such attempts would be made or would succeed under all circumstances. Cholera and typhus may not be wholly prevented by the wisest sanitary care. But cleanly, well-drained, and prudent neighborhoods are much less exposed to their ravages than those which are abandoned to foulness of every kind and degree. The spoils system is a moral pestilence, bred of ignorance, carelessness, and knavery, which invites corruption as filth invites disease. A community which holds that a public office is a private benefit for which the recipient ought to pay, or that citizens of all parties in a free government may be justly taxed for the workers of a party, would hardly frown upon the proposition that the beneficiary of a law may properly pay for its passage. I do not say that the cases are exactly parallel, but the moral laxity and blindness in the one case would extend naturally and readily to the other. So long as it is held that the public money may be spent by a party for its own benefit—which means that, in a country where party dominance should depend upon honest preference of its policy, the dominant party may properly pay sixty millions of dollars from the public treasury for votes—so long it will be as impossible to stem the corruption which threatens us on every side as to stay the resistless plunge of Niagara.

We are approaching the third presidential election since the League was organized. Does any intelligent

observer doubt that the party of administration, controlling the vast salary fund of the Civil Service, which is practically a corruption fund, enters upon the campaign with an immense but wholly illicit advantage? Like every administration party, it is justly entitled to every advantage that arises from a wise policy, from the honest and efficient conduct of affairs, from strict adherence—if it has adhered—to the promises by which it solicited public support, and from the faithful fulfilment—if it has fulfilled them—of voluntary executive pledges. To all these legitimate advantages the party is entitled. But so far as its administration has expended sixty millions of dollars in salaries, with a view to the next election and to the continuance of the party in power, so far it has betrayed the principle of popular government, because so far it has deliberately bought party support with public money. The disposition of that fund was committed to it in trust for the public welfare, and every cent of it which this administration has spent to advance a party interest has been spent in betrayal of a public trust. If the national patronage fund were six hundred millions of dollars instead of sixty, it is not impossible that, in the present development of the party system, the party of this administration, as of any other, by the shrewd expenditure of that sum, might maintain itself in power. But the offence is not measured by figures. The abuse of a trust of sixty millions is morally as great as abuse of a trust ten times as large.

It is not an abuse peculiar to this administration. There has been no administration since that of John

Quincy Adams which has not done the same thing. It was long done amid general public apathy arising from the good-natured and careless feeling that it was the natural order of politics, the common law of parties. It grew up gradually amid general ignorance of its tendency and public indifference. The spoils system may plead that, although a breach of the earlier tradition in national politics, it is really as old in New York, and nearly as old in Pennsylvania, as parties themselves, and that it has grown strong in general acquiescence. But that is only to say that public evils and abuses do not arrest attention and arouse organized resistance until they are seen to be public perils. That is now distinctly seen, and this League is the living, active, aggressive witness of the happy awakening of the public mind to the fact that the prostitution of patronage to the maintenance of party power imperils liberty to-day in a republic no less than the arbitrary will of a king imperilled it in a monarchy.

In appealing to public opinion to bind the executive power still more closely, by restricting the license of party in the interest of the whole people, we propose nothing which has not been often done. The very fact that party is a convenient agency, and that its disposition is to magnify its authority, is the conclusive reason for vigilant observation of its conduct and for wholesome checks upon its action. Party is a clever servant, like Steerforth's man Littimer, in "David Copperfield." But the cleverer he is the more insolent, if permitted, he is likely to become, and the more firmly he needs to be disciplined. Party is the servant of the people, but it

is so clever that it tends to become practically master, and bullies the individual citizen as the clever Littimer, setting the table and stirring the fire, overpowered with awe poor little shrinking David. Those who grovel before the party, as the courtiers in Siam crawl on their bellies before the king, forget that the people are really master and often break from their good-natured indifference to teach party its place. There is, for instance, in this country a public opinion, which has the force of law, that the judicial bench, the tribunal of ultimate appeal even in questions of elections, whether the judges are appointed or elected, shall be independent of party partiality and influence; and it is a happy fact that the bench is so absolutely non-partisan that the infrequent exceptions to the rule, when they occur, justly startle the community as with a shock that threatens the foundations of social order. Another illustration of this suspicion of party is the condition frequently imposed by law upon the executive appointment of commissions charged with important public duties, that the members shall not be all drawn from one political party. But the most striking illustration of a sane public sentiment which recoils from the abuse of executive power by party, and of the intervention of the people to correct it, is found in the political history of New York, the State in which the spoils system was introduced with the rise of parties under the Constitution, and which for the first twenty-five years of the century witnessed the worst excesses of party tyranny.

When the State Constitution was adopted, in 1777, in order to curb the executive power a council of appoint-

ment for all State officers was elected by one House of the Legislature from the members of the other, of which council the governor was made president, with a casting vote. For some years before parties were definitely organized, its function was honestly discharged to the public satisfaction, and upon the true principles of the public service. Political removals were practically unknown until, as parties arose under the Constitution, the council of appointment was swiftly transferred into a clean-sweeping party machine, and for the first twenty years of the century its action was merciless. In 1820 the council controlled about 15,000 appointments in a State where there were but 145,000 voters. A change in its party majority inaugurated an orgy of plunder. The public service of the State after an election was looted like a Chinese city after its capture by barbarians. The party proscription was complete, and among a healthy and vigorous people it became also intolerable. The evil wrought its own cure. There was a general demand for the abolition of the council, and in 1821 109,000 votes against 35,000 demanded its abolition, and the clean-sweeping party machine was destroyed by the unanimous vote of the constitutional convention. This was not a party victory, it was the act of the people regulating the executive power by curbing the arbitrary will of party. The appointing power was distributed among different agencies, where it still remains, and as its abuse by party, although greatly reduced, still remained under the changed form, the people still further abridged it by the Civil-Service reform law of 1883, a measure in direct and logical succession from

Magna Charta and all the great muniments of political liberty.

This is the law, which in its limited operation is an undisputed benefit, that we would apply to every branch of the public service, national, State, and municipal, to which it is applicable. By restraining the arbitrary power of party we would promote honest administration of the government. But when we say that our aim is honest government, we do not say that the Civil Service is dishonest. It is, therefore, no reply to our demand to allege that the percentage of loss to the government in the collection of the revenue is inconsiderable. What we affirm is, that the theory which regards places in the public service as prizes to be distributed after an election, like plunder after a battle, the theory which perverts public trusts into party spoils, making public employment dependent upon personal favor and not on proved merit, necessarily ruins the self-respect of public employés, destroys the function of party in a republic, prostitutes elections into a desperate strife for personal profit, and degrades the national character by lowering the moral tone and standard of the country.

Four years ago, as the presidential election approached, the League stated in some detail the reasons for its dissatisfaction with the administration of that time. It tested the administration by the simple standard of reform, and all that it could say was that the scope of the classified service had been somewhat enlarged, and that the rules and regulations had been revised and improved. It declared that the general party change in the service which had followed the inaugura-

tion of the new President was not demanded by the welfare of the service itself, nor by any public advantage whatever, and was due solely to a partisan pressure for partisan objects, which unfortunately the President had not resisted. But it will not be forgotten, not only that the party of the President had not demanded reform, but that its controlling sentiment was hostile to it. All that was done under the last administration—and what was done gave the question of reform a place in practical politics which it will not lose until the reform is fully achieved—was done by the President alone. Except for his courage and fidelity to his personal convictions, the reform law of 1883 would have been practically nullified, and the reform ignored and discarded. Tried by the standard of absolute reform he failed, as President Grant failed ten years before, and for the same reason—the hostility of his party. But tested by the actual situation of to-day, notwithstanding the executive yielding to party pressure, the pure flame of reform sentiment not only was not extinguished during the late administration, but burned more brightly in the public mind as the administration ended—burned so brightly, indeed, that the opposition party, in the platform upon which they carried the election, made the strongest profession of reform faith and purpose that any party ever made.

The present administration came into power, not with the usual vague platitude upon the subject, but with a definite promise of reform and the distinct pledge to fulfil its pledges. But it celebrated the success of its party with a wild debauch of spoils, in which its prom-

ises and pledges were the meats and the drinks that were riotously consumed. Nevertheless, the reform law has been as faithfully observed as by the preceding administration, and the scope of the reformed service has been greatly enlarged. The Secretary of the Navy, in the interest of the public (and he could have done his party also no greater service), has introduced the reform into the skilled and unskilled labor system of the navy-yards. In his late speech in Rhode Island, a carefully and skilfully prepared defence of the administration, and the strongest presentation of its claims to public confidence that probably will be made during the pending campaign, Secretary Tracy says: "I believe I am justified in saying that, so far as its administration is concerned, the navy has never been treated so little in the spirit of a party question as it is to-day; the regulations of the department within the last year have eradicated all political considerations from the employment of navy-yard labor, and have made that employment dependent alone upon the skill and efficiency of the workmen."

A more signal illustration of the practical progress of reform cannot be found, and when we add to this action of a Republican Secretary of the Navy the fact that a Democratic member of the House of Representatives has unanimously reported from the committee of which he is chairman a bill to make the order of the secretary in one department the law in all departments of the government, it is plain that the beneficent flame of reform of which I spoke is in no danger of extinction. The President has also somewhat extended the classified service, and has authorized open voluntary competitions

for promotions, while the postmaster-general had already adopted the principle of competitive promotion in his department. It is the post-office department, however, the largest patronage branch of the government, which has been ruthlessly ravaged under this administration by the old abuse. At the same time, again, in the House of Representatives, bills have been introduced regulating the appointment of all postmasters upon reform principles.

Yet, while this steady advance in one of the most fundamental of political reforms proceeds, the party platforms of the last year have barely mentioned it, and in the hot party campaigns of the autumn and of the spring party orators have forbore even to compliment it, lest haply some vote might be lost. The explanation of this apparent inconsistency and this evident avoidance and silence is, however, not difficult. Civil-Service reform proposes to restrict the arbitrary power of party. It does not, of course, contemplate the dissolution of parties, or suppose that popular government will be carried on without the organization of citizens who desire to promote public policies upon which they agree. Indeed, the reform will necessarily promote the legitimate power of party by making it a representative of opinion to a degree which, under the spoils system, is impossible. But as party has now become largely a machine oiled by bribery and corruption in the form of patronage and money, and as the result of elections is coming, in the popular belief, not to indicate the popular will, but to signify merely the preponderance of "boodle" on one side or the other, party machines no

more favor Civil Service reform than kings favor the restriction of the royal prerogative.

But it is by party action, nevertheless, that reform must be secured. Why, then, do we anticipate success? Because party itself is finally subject to public opinion, and, whatever the machine may wish, it is at last obliged to conform to public opinion, as a sailing-ship to the wind. There is already a peculiarly intelligent and influential reform opinion, an opinion with independent votes, of which party machines are conscious, and to which they now formally defer. It is an opinion which is known to public officers, who often share it, and, taught by official experience the practical value of reform, they introduce it cautiously into their administration. Once planted, like a vigorous sapling, it grows apace. The uniform and undeniable excellence of the result strengthens and extends the reform sentiment, and still further emboldens public officers to heed it. The futility of theoretical objections is shown by conclusive experiment, as when the first steamship crossed the ocean before Dr. Dionysus Lardner had finished demonstrating that it was impossible. The wiser and more independent sentiment of party perceives the advantage to be gained by becoming the instrument of reform, as the wiser Whigs forty or fifty years ago strove to make their party an antislavery party, and, failing, saw their party disappear. Undoubtedly if the Republican party, born of that failure, had proved that it meant what it said of Civil-Service reform in its recent platforms, it would enter upon the contest of this year a more powerful party than it is. But its platform, and the declarations of Re-

publican leaders, and its observance of the reform law, like the same observance and the reform acts of the late Democratic President, show in what way, despite the machines, public opinion, as it strengthens, prevails, and the good work is done. The vigorous young sapling must encounter gales and frosts and droughts, but still it grows and swells and bourgeons. So, feeling its way gradually, irregularly, inconsistently, halting and stumbling, but steadily advancing, reform proceeds.

Party machines, truculent and defiant, resist, but, like kings, they yield at last to the people. The king whose arbitrary excesses produce the peremptory popular demand for relief ordains, however reluctantly, a restriction that limits his power. So the French Bourbon, Louis XVIII., signed the charter of 1814, and the Prussian Hohenzollern, Frederic William IV., summoned the Constituent Assembly of 1848. They call their surrender *motu proprio*, an act of their sovereign will. But they know, and the world knows, that it is the will of a greater sovereign than they, the will of the people. Our appeal is now, as it has always been, not to party, but to the people who are the masters of party. As the English barons, in the phrase of an old English writer, cut the claws of John; as the English Parliament taught terribly the English king that not he, but the English people, was the sovereign; as the American colonies taught the English Parliament in turn that the American people would rule America; so, by every law and custom demanded by public opinion, which restrains the arbitrary abuse of executive power by party, the American people are constantly teaching American par-

ties that not the parties but the people rule. We cannot expect the king, nor the Parliament, nor the party to solicit the lesson or to enjoy the discipline. We cannot expect their supple courtiers, either in the palace or in the saloon, to demand that the king or the party shall be bound. But bound nevertheless they are, bound by the people they have been, and bound by the same power they will be. The record of this year, as of the last year, and of every year since the League was formed; even the reiterated pledges of platforms, although reiterated only to be largely broken; the most sweet voices of the stump, that sink into barren silence; the bills introduced that gasp and die in committee, on the one hand; and, on the other, the constantly larger scope of the reformed system in the public service—all reveal the ever-stronger public purpose, and the constantly greater achievement of that purpose, to add in Civil-Service reform another golden link to the shining chain of historical precedents which, by wisely restraining executive power, promote the public welfare.

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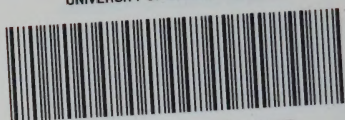
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